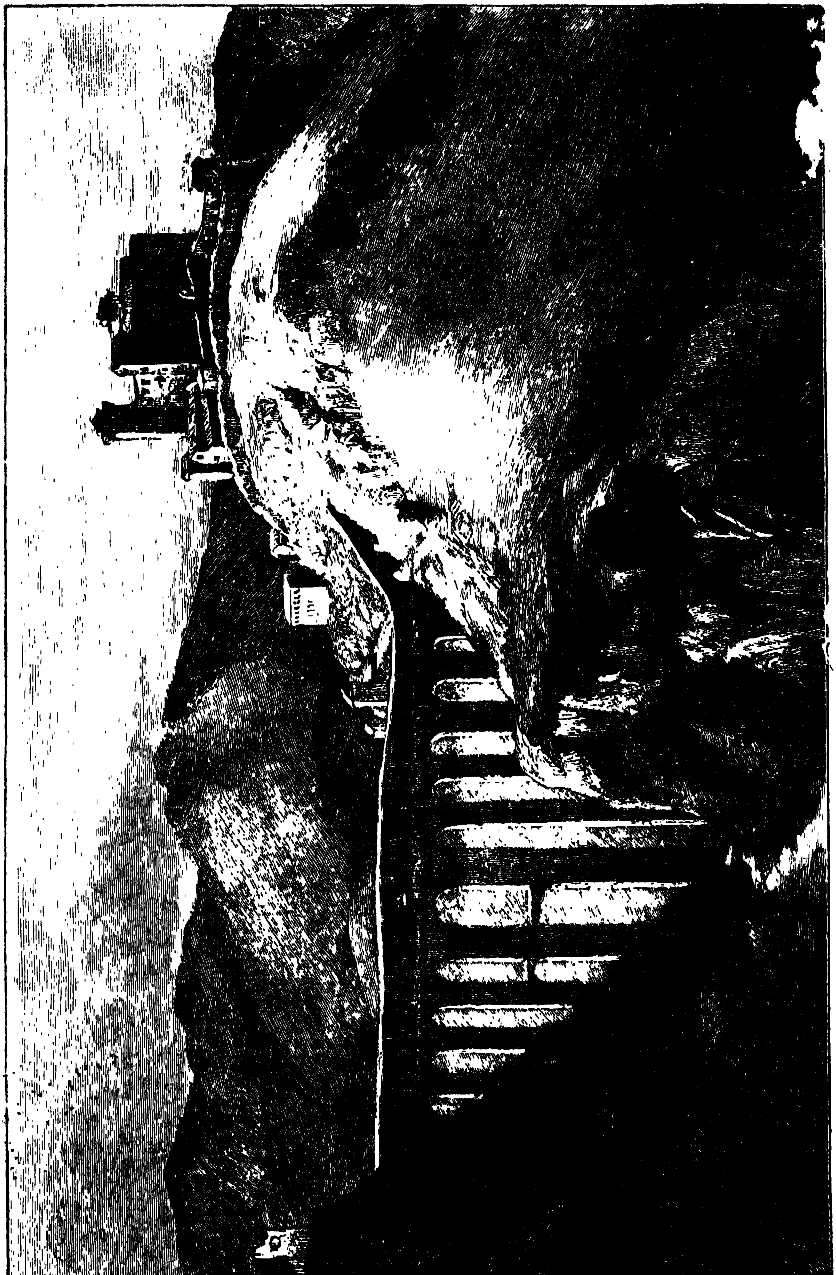
ITALY AND HER INVADERS

HODGKIN

OXFORD UNIVERSITY PRESS
LONDON EDINBURGH GLASGOW NEW YORK
TORONTO MELBOURNE BOMBAY
HUMPHREY MILFORD
PUBLISHER TO THE UNIVERSITY



ITALY

AND

HER INVADERS

600—744

BY

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VOLUME VI

BOOK VII. THE LOMBARD KINGDOM

WITH MAPS AND ILLUSTRATIONS

SECOND EDITION

Oxford
AT THE CLARENDON PRESS
M DCCCC XVI

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BOOK VII.

THE LOMBARD KINGDOM.

CHAPTER I.

THE SEVENTH CENTURY.

BOOK VII. CH. 1.

THE century whose early years witnessed the death of Pope Gregory the Great, and the establishment of something like peaceful relations between the Empire and the Lombards in Italy, was one of a strangely mingled character. As far as Western Europe was concerned—perhaps we might say as far as the Aryan races were concerned—it was, on the whole, monotonous, uneventful, unimportant; but the changes wrought during its course in the regions of the East, the immense spiritual revolution which it witnessed among the Semitic peoples, and which has profoundly modified the condition of a quarter of the human race at the present day,—these characteristics entitle the seventh century to a place in the very foremost rank of the great epochs of the world's history.

Let us briefly survey the events which were happening in the rest of Europe and round the Mediter-

BOOK VII. CH. 1.

ranean Sea during the hundred years which now lie before us.

The Seventh Century in England.

In England, the great achievement of Gregory—the introduction of Christianity—was carried triumphantly forward. Edwin of Deira, in his youth the hunted outlaw, in his manhood the king of Northumbria, and the mightiest in all the land of Britain, wrought with brain and sword for the supremacy of the faith which he had learned from Paulinus. Benedict Biscop introduced into the barbarous land the architecture and the mosaics of Italy. The statesman-archbishop Wilfrid of York won for Rome that victory over the usages and teaching of Iona which even the memory of the saintly Aidan was unable long to postpone. When the century closed, the body of St. Cuthbert, monk and bishop, had been for thirteen years lying in its first resting-place at Lindisfarne; and the chief herald of his fame, that Baeda who was to be known by the title of Venerable, was still a young deacon of twenty-seven years of age. The great Northumbrian kingdom to which they both belonged, and of which the seventh century had beheld the glory, was already slowly falling into ruins.

In France.

In France the chief characteristic of the century was the decay of the Merovingian race, and the ever-increasing importance of the Mayors of the Palace. The Frankish kingdoms were indeed for a few years reunited under Chlotochar II, the son of Fredegundis, and both that king himself and his son Dagobert (628–638) showed some traces of the old daemonic energy which had made the first Merovingians terrible, if not beloved. But the realm was soon again parted asunder, the 'Germany' and the 'France' of a future

day already beginning to reveal themselves, as Austrasia on the one hand, and Neustria with Burgundy on the other. The kings of this divided realm, a wearisome succession of Chilperics and Childeberts and Theodorics, scarcely exhibit even a vice which can help us to distinguish them from one another. They are already 'rois fainéants,' for the possession of whose persons rival Mayors of the Palace fight and conspire, but who have no self-determining character of their own.

Of these Mayors of the Palace we, of course, watch with most interest the 'Arnulfings,' who will one day be known as the 'Karlings,' the descendants of two Austrasian grandees, Pippin [1], and Arnulf, bishop of Metz, whose combined desertion (as will be hereafter told) delivered over Brunechildis and her great-grandchildren into the hands of her hereditary enemy. But owing to the premature clutch at the name as well as the reality of the kingly power, made by Grimwald, son of Pippin (656), the fortunes of the Arnulfings were for a time during the latter part of the century under a cloud, and other figures fill the confused picture. Ebroin, Mayor of the Palace for the three kingdoms, governs with a strong and grasping hand, is imprisoned, emerges from confinement, gets hold of one of the royal puppets, and again rules in his name. A bewildering succession of Mayors of the Palace, for Neustria, for Austrasia, even for a mere section of Austrasia, such as Champagne, pass before us, and civil war and assassination supply the staple of the dreary annals of the chronicler.

At length (689) the waters of Chaos begin to subside. The Arnulfings reappear on the scene. Pippin, second

[1] Called by later writers Pippin of Landen.

of the name[1], grandson of Arnulf on the paternal, of the first Pippin on the maternal side, becomes Mayor of the Palace of all the three kingdoms; and, in the strong hands of that able general and administrator, the Frankish realm enjoys some degree of rest from tumult, and peace from external enemies when the seventh century closes.

Already we have to note in these Arnulfing statesmen, sprung as they were from the loins of a man who in later life became a bishop, and even a monk, a strong tendency to link their cause with that of the Church, perhaps to oppose to the ghastly licentiousness of the later Merovingian kings something of that higher standard of morality and religion, for which the barbarised Church of the Franks was dimly and fitfully striving.

In Spain.

In Spain the seventh century was a period of dreary and scarce interrupted decline. The Visigothic nation, which had, under Recared (589), solemnly renounced the Arian heresy, now rushed into the other extreme of narrowest and most bigoted orthodoxy. The king was an elected ruler, who never succeeded in founding a dynasty that lasted for more than two generations. The nobles, turbulent and rapacious, were perpetually conspiring against their king, or oppressing their poorer neighbours. The bishops were now the most powerful order in the state: their assemblies, the councils of Toledo, of which fourteen were held during the seventh century, were the real Parliaments of the realm. There was a scanty infusion of the lay nobility in these councils, but the predominant voice belonged to the

[1] Commonly, but on insufficient authority, called Pippin of Heristal (see Dahn's Deutsche Geschichte, ii. 209).

ecclesiastics, whose influence was seen in the ever sterner and more cruel legislation directed against the unhappy Jews (so long the faithful clients of the Arian Goths), and in the sickening adulation with which usurper after usurper, if only successful and subservient to the Church, was addressed by the Council, and assured of the Divine favour and protection. Every sympton showed that the Visigothic kingdom in Spain was 'rotten before it was ripe.' Eleven years after the seventh century had closed, judgment was pronounced upon the earth-cumbering monarchy. 'The Moors,' that is, the Saracen conquerors of Africa, crossed the straits of Gibraltar; and in one victorious battle brought the whole fabric of the Gothic state to the dust. A slender remnant of the nation fled for shelter to the mountain fastnesses of the Asturias, but the great mass of the Spanish population bowed beneath the Moorish yoke, and repeated the prayer of Islam when the voice of the muezzin was heard from the minaret. The work of the Scipios was undone, and Spain, lost to the Aryan world, had once more a Semite lord. The same fate had previously overtaken Egypt, Cyrene, and Carthage. These fair provinces, once the granary of Rome, were now for ever lost to her Empire, and only in our own century have the civilisation and religion of Europe been able to exert an influence, and that but a superficial influence, on the great Orientalised, Mohammedanised regions of Northern Africa.

Saracen conquests in Africa.

Events in Constantinople.

The rapid conquests of the Saracens along the Southern shore of the Mediterranean invite us to give a brief glance at the events which had meanwhile been occurring at Constantinople and in the regions of the East. The seventh century, in the story of the Roman

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Empire, must be remembered as the period of the dynasty of Heraclius.

Phocas, 602–610.

We left Phocas, the murderer of Maurice, wearing the Imperial diadem, and receiving the shameful congratulations of Pope Gregory. For eight years this coarse and brutal soldier filled the highest place in the civilised world. We are bound to look with some distrust on the record of the crimes of a fallen sovereign when written by the servants of a hostile dynasty; but after making every deduction on this score we cannot doubt that Phocas was a cruel and jealous tyrant, as well as an utterly incapable ruler, and that the Empire passed through one of its deepest gulfs of humiliation while he was presiding over its destinies.

Expedition of the young Heraclius, 610.

At length deliverance for Constantinople came from distant Carthage, still a member of the great 'Roman Republic,' though not long to remain in that condition. Heraclius, Exarch of Africa, after two years of preparation, sent two armaments forth for the delivery of the Empire. One, embarked on high, castle-like ships, went by sea; the other, consisting chiefly of infantry, assembled at Alexandria, and went by land. Each was under the command of a young general; the navy under Heraclius, junior, the Exarch's son,—the land force under his nephew Nicetas; and it was understood that the diadem was to be worn by him who first arrived at Constantinople. The winds were favourable to the sailors, and in this race for Empire the young Heraclius won. The servants of the hated Phocas made but a feeble and faint-hearted resistance. Heraclius tarried for a while at Abydos, where a host of exiles driven into banishment by the tyrant gathered round him. The brother of Phocas, to whom the custody of

the long walls had been committed, fled with precipitation, and soon Heraclius, with his castled ships, was anchored in the harbour of St. Sophia. A short battle, perhaps a naval engagement, followed. The African troops won a complete victory, and Phocas, deserted by all his followers, was brought into the presence of his conqueror with his arms tied behind his back. According to the well-known story, a short dialogue took place between them. Heraclius said, 'Is it thus, oh! miserable man, that you have governed the Empire?' Phocas answered, 'May you be able to govern it better[1]!' Heraclius, seated on his curule chair, kicked the fallen tyrant, and ordered him to be 'cut up like dogs' meat.' His body, and those of his brother and two of his most hated ministers, were then burned in a place called the Bull.

Capture and execution of Phocas.

The young Heraclius, as liberator of the Empire, has something about him which attracts our sympathy and admiration; but when we are reading his story, as told by John of Antioch or the monk chronicler Theophanes, it is impossible not to feel how thoroughly barbarised were all, even the best men of this epoch of the Empire. The same thought strikes us when we look upon the grotesquely barbarous coins of Heraclius. The Greek Republics had had their young and chivalrous tyrannicides, their Aristogeitons and their Timoleons; but great as is the descent from the glorious *stater* of Rhodes or Cyzicus to the strange *aureus* of Heraclius, so great is the fall from the tragic beauty of the deeds of the Greek tyrannicides to the coarse brutality of the murderers of Phocas.

[1] Ὁ δὲ εἶπεν, Σὺ κάλλιον ἔχοις διοικῆσαι, Joann. Ant. 218 (ap. Müller, Fragmenta Historicorum Graecorum, vol. v).

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Heraclius, Emperor, 610-641.

It was indeed at a perilous and difficult crisis that Heraclius seized the helm of the state. The Avars (who about this time made a terrible raid into Italy, almost obliterating Friuli from the list of Lombard duchies) were now at the height of their power, and were able to roam over Thrace unchecked right up to the long wall of Anastasius. On the other hand the Persian king Chosroes, grandson of the great Nushirvan, under pretence of avenging the death of his benefactor Maurice (who had won for him the throne), had not only overrun Syria, but had sent a victorious army through the heart of Asia Minor, to encamp finally at Chalcedon, within sight of Constantinople. Thus the Roman Empire, though still owning in theory the fairest part of three continents, was in danger of seeing itself confined within the narrow limits of the capital. The overthrow of Phocas and consequent change of dynasty at Constantinople did not arrest the Persian career of conquest. The overtures for peace made by Heraclius resulted only in an insulting answer from 'the noblest of the gods, the king and master of the whole earth, Chosroes, to Heraclius, his vile and insensate slave.' Syria was again overrun, Egypt was turned into a Persian province, the army of the Persians was again seen encamped at Chalcedon. None of the Persian triumphs, not even the conquest of Egypt (which involved the loss of the chief corn supplies of Constantinople), affected either Emperor or people so profoundly as the capture of Jerusalem, and, with it, of that identical Holy Cross which Helena believed herself to have discovered three centuries before, and which had given its name to so many churches in Italy and in every province of the Empire. Nevertheless, for twelve

Persian War.

years Heraclius seemed to be sunk in lethargy, and to endure with patience the insolence of the Persians. It is probable that he was really during this time consolidating his power, disciplining his forces, and persuading the factious nobles of the state to acquiesce in his assuming something like an ancient dictatorship for the salvation of the Republic [1].

Asiatic campaigns of Heraclius, 622-628.

At length, in 622, a fateful year for Asia and the world, Heraclius, having completed his preparations, and having coaxed the Chagan of the Avars into temporary good humour, set forth on the first of his great Persian campaigns. These campaigns were six in number, and presented some of the strangest vicissitudes recorded in history; but through all, the untiring patience, the resourceful generalship, the unfaltering courage of Heraclius, revealed themselves, and once again, as eleven hundred years before, the disciplined armies of Greece proved themselves mightier than the servile hordes of Persia.

Heraclius, after penitential exercises and in reliance on the virtue of a heavenly picture of the Virgin, set sail from Constantinople on the day after Easter, and voyaged through the Archipelago, and along the southern coast of Asia Minor till he reached the shores of Cilicia and the neighbourhood of Issus, already memorable for one great victory of Hellas over Iran. From thence he plunged into the defiles of Taurus, succeeded by a series of brilliant manœuvres in utterly

[1] This is the view taken by Professor Bury of the real character of these first twelve years of Heraclius as to which history is so strangely silent. He thinks that the apparently wild scheme of transferring the seat of empire from Constantinople to Carthage was really a stroke of successful policy by which the Emperor brought the Byzantine nobles and populace to reason (ii. 219).

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baffling the Persian generals, and at length won a decisive victory in the highlands of Cappadocia. He was thus encamped upon the line of communication between the Persian king and his generals at Chalcedon, hoping doubtless to compel the retreat of the latter. But for some years the Persian standards were still visible at Chalcedon, and once, half way through the war, Constantinople was straitly besieged by the combined forces of Persians and Avars. But not all their endeavours could recall Heraclius from his career of conquest, nor force the Roman mastiff to relinquish his hold of the Persian leopard. At one time he would be wintering in the passes of the Caucasus, forming a network of alliances with the rough tribes of Colchis and Albania. Then he would descend into Media, lay waste the plains of Azerbijan, and avenge the desecration of Jerusalem by burning the birthplace of Zoroaster. Then would follow a campaign by the upper waters of the Euphrates, or among the difficult ranges of Taurus, and in almost all of these campaigns victory followed the Roman eagles, and the Persian generals, serving a suspicious and unreasonable master, grew more and more disheartened and bewildered by the strategy of their foe. At length a decisive victory within sight of Nineveh, followed by the capture and spoliation of the royal palace of Dastagherd, completed the ruin of the Persian king. The long-stifled rage of his subjects broke forth against a tyrant who was safe only while he was presumed to be irresistible. Chosroes fled: his son Siroes, whom he had sought to exclude from the succession to the throne, conspired against him; eighteen of his other sons were slain before his eyes, and he himself perished

627.

628.

miserably in the Tower of Oblivion, to which he had been consigned by his unnatural offspring. Heraclius had little to do but to look on at the death-throes of the Persian kingdom. He was able to dictate his own terms, which were just and moderate: the restoration of the conquered provinces of the Empire, and of the precious Cross, which he brought in triumph to Constantinople, and next year carried back in pilgrim fashion to Jerusalem. In all the long duel between the Republic and the Arsacidae of Parthia, between the Empire and the Sassanidae of Persia, a duel which had been going on since the days of Crassus the Triumvir, no victory had been won, so brilliant, so complete, apparently so final, as these wonderful victories of Heraclius.

Mohammedanism.

And yet these seeming brilliant triumphs of western civilisation were only the prelude to its most disastrous and irreparable defeat. The darkly brooding East renounced the worship of Ormuzd, and the belief in Ahriman, she abandoned the attempt to substitute a Monophysite creed for the cautious compromise of Chalcedon; but it was only in order to emerge from the burning deserts of Arabia with blood-dripping scimitar in her hand, and with this cry upon her fanatic lips, 'There is no God but God: Mohammed is the Prophet of God.'

The career of the Saracen conquerors, though in after years it was to include Sicily, and even parts of Italy within its orbit, did not immediately exercise any direct influence on the Hesperian land. The Arabs are not among the invaders whose deeds this history has undertaken to describe[1]; and therefore it will be

[1] The chief dates for the Saracen invasions of Italy and Sicily are as follows:—First firm foothold obtained in Sicily by the

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sufficient here to enumerate a few dates which indicate their onward whirlwind course of conquest through the seventh century.

Saracen conquests.

In 622, the year when Heraclius set forth for his death-grapple with Persia, Mohammed made that celebrated retreat from Mecca to Medina, which has been, ever since, the great chronological landmark for the world of Islam. In 628, he wrote to the Emperor, as well as to the Kings of Persia and Abyssinia, calling upon all to accept the new divinely given creed. In 629 was the first shock of battle between the Empire and the Children of the Desert, when Khalid, 'the Sword of God,' won a doubtful victory. In 630, Mohammed returned in triumph to Mecca, where he died on the 8th of June, 632.

Under Mohammed's successor, the Caliph Abu Bekr, though he only reigned two years, great part of Syria was overrun by the Arab swarms, the decisive battle of Yermuk was won by Khalid in 634, and in the year after Abu Bekr's death (635), Damascus was taken. Omar, the next Caliph (634–643), saw the conquest of Syria and Palestine completed, Jerusalem itself taken (637), and Egypt wrested from the Roman Empire.

Flight of Heraclius from Syria.

Heraclius himself, so lately the brave and resourceful general, seemed struck by mental impotence, and fled in terror to Chalcedon (638), bent apparently only on saving his own imperial person, and the precious wood of the Holy Cross which he carried with him from Jerusalem. In the midst of the ruin of his Empire,

Saracens under the Aglabite Khalifs, 827; Rome besieged and St. Peter's taken by the Saracens, 846; Defeat of the Saracens on the Garigliano, 916; Sicily conquered by the Fatimite Khalifs, 964; Norman conquest of Sicily and final subjugation of the Saracens, 1060–1089.

with provinces which had once been kingdoms wrested from the grasp of his nerveless arm by the followers of an Arabian camel-driver, it seems to have been a consoling thought that at least that precious relic would not fall again into the hands of the infidel.

Meanwhile, Persia, enfeebled by her disastrous struggle with Heraclius, and having no energy of religious conviction in her people which could struggle against the faith of the Arabians, hot as the sand of their own deserts, fell, but not quite so speedily as Syria and Egypt. The war of Saracen conquest began in 632 In 636 the great battle of Cadesia was lost by the Persians, and their famous banner, the jewel-loaded leathern apron of a blacksmith, fell into the hands of the invader. But the struggle was still continued by the sons of Iran, and it was not till 641 that the battle of Nehavend destroyed their last hopes of successful resistance.

The conquest of Northern Africa seems to have been one of the hardest tasks that were undertaken by the followers of the prophet[1]. Carthage was not taken till 697: it was retaken by the Imperial general, and not finally captured till 698, two years before the close of the century. But if the conquest was slow, it

[1] Freeman (History and Conquests of the Saracens, p. 85) remarks on this fact: 'While Egypt was won almost without a blow, Latin Africa took sixty years to conquer. It was first invaded under Othman in 647, but Carthage was not subdued till 698, nor was the province fully reduced for eleven years longer.' He attributes this delay to the strong Imperial spirit of the citizens of Carthage—'Roman in every sense: their language Latin, their faith orthodox,'—and to the sturdy barbarism of the Mauritanians, who had fought for their rude liberty against the Caesars, and had no intention of surrendering it to the Caliphs.

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was sure, and the path of the conquerors was prepared for that final onrush which, in 711, added the great peninsula of Spain to the dominions of the Caliph.

Great schism in the Mohammedan world, Shiites and Sunnites, 659.

In one generation, not the conquering power, but the fervour of faith, the absolute oneness of purpose which at first animated all the followers of Mohammed, had departed. Omar's successor, Othman (644–655), was more of a worldly king and less of an apostle than any of his predecessors, and he perished in a rebellion caused by his weak favouritism, and fomented by the ambitious and intriguing Ayesha, widow of the Prophet. The murder of Othman was used, most unjustly, to stir up popular feeling against Ali the next Caliph (655–659), the brave, pious, simple-hearted son-in-law of the Prophet. Schism and civil war followed, and the student who has followed with any sympathetic interest the story of the early believers in Islam, finds with indignation that the story ends with the assassination of Ali, and the murder of his two sons Hassan and Hosein, grandsons of the Prophet, by order of the descendants of his most persistent enemy [1] (661–680). In the person of Moawiyah this hostile family ascended the throne (now indeed a throne) of the Caliphs, and fixed their luxurious abode among the gardens of Damascus. The faith of Islam, like the faith of Christ, but with a far more rapid decline, had fallen away from its first fervour, and was accepting the kingdoms of this world and the glory of them at the

[1] Abu Sofian, father of Moawiyah. The death of Hassan was caused by poison, and the connection of Caliph Moawiyah with it was only a matter of suspicion. But the death of Hosein after the battle of Cufah was a veritable martyrdom, and the Caliph Yezid, son of Moawiyah, must be held responsible for it.

hands of the Dark Spirit. Like Christianity also, but again with swifter development, it was rent asunder by a mighty schism. The well-known division between the Shiites, who venerate the memory of Hassan and Hosein, and the Sunnites, who at least condone the guilt of their murderers, still cleaves the Moslem world with a chasm quite as deep as that which separates the Latin Church from the Greek, or the Protestant from the Catholic.

Siege of Constantinople by the Saracens, 673-677.

Still, notwithstanding its spiritual decay, the spirit of Islam was a mighty force in that effete world of Hellenic Christianity. Still, as the drilled and uniformed Jacobins of France carried far the standards of Napoleon, did the Saracen warriors, with the religious maxims of the Koran on their lips, do the bidding of the sensual and worldly-minded Ommiade Caliph at Damascus. It was in the year 672, fifty years after the Hegira, under the reign of the great-grandson of Heraclius, that the fleets and armies of Moawiyah set sail for Constantinople, eager to earn the great blessing promised by the Prophet, 'The sins of the first army that takes the city of Caesar are forgiven.' But not yet, nor for near eight centuries to come, was the fulfilment of that promise to be claimed. For five years (673–677) (magnified by tradition to seven) did the Arab wave dash itself in vain against the walls of Constantinople. The fire-ships of the Greeks carried havoc into their great Armada, the land army sustained a disastrous defeat, with the loss of 30,000 men, and at last the baffled armament returned, not without fatal storm and shipwreck, to the Syrian waters. Then was peace made on terms most honourable to the Empire, including

BOOK VII. CH. 1.

the restoration of captives, and a yearly tribute of £120,000 from Damascus to Constantinople; and for a generation peace in the Eastern waters of the Mediterranean seems to have been maintained, though North Africa was during this very time witnessing the steady progress of the Saracen arms.

Monotheletism.

While such tremendous conflicts as these were going forward, conflicts in which the very existence of the Empire, the mere continuance of the Christian Church, would seem to have been at stake, it might have been supposed that theological metaphysics would at least be silent, that all who professed and called themselves Christians would be drawn together by the sense of a common danger, and would agree at least to postpone, if they could not absolutely relinquish, the verbal disputations on which they had wasted so much energy. On the contrary, the seventh century was disastrously distinguished by the fury of one of the bitterest and least intelligible of all these disputes. Monophysitism had filled the world with turmoil for nearly two hundred years. Now Monotheletism took its place as chief disturber of the nations.

It was in that eventful year 622, which witnessed the withdrawal of Mohammed to Medina, and the departure of Heraclius for the Persian war, that the Emperor seems to have first conceived the idea that the Monophysite dissenters might after all be reconciled with the Church, which accepted the decrees of Chalcedon, by a confession on the part of the latter that, though the Saviour had two natures, he had only one will, 'only one theandric energy.' Through all the later events of his chequered reign, his successes

against the Fire-worshippers of Persia, his defeats by the Allah-worshippers of Arabia, he seems to have held fast to this scheme of reuniting the Church by the profession of *Monothelete* doctrine. Sergius, Pyrrhus, and Paul, the successive Patriarchs of Constantinople, zealously and ably abetted his designs. The Patriarchs of Antioch and Alexandria subscribed to the same doctrine: even the Pope (Honorius I), when appealed to, gave judgment in words which might be understood as at least permitting, if not ordaining, the teaching of the Monothelete faith. For a time only Sophronius, the Patriarch of Jerusalem, stood, like another Athanasius, alone against the world. But the current soon began to set in the contrary direction. The very willingness of the Monophysite schismatics to accept the new doctrine aroused suspicion among those who had been for two centuries fighting the battle of Chalcedon; and the Popes of Rome[1], far from the fascination of the Imperial presence, and under no political compulsion to propitiate the Monophysites of Egypt and Syria, resisted with vehemence the new Eirenicon. The Emperor, however, still persevered in his plan, though he tried to broaden the issue by withdrawing from it one or two terms of technical theology which appeared unnecessary. In 638, the year after the loss of Jerusalem, the year before the Saracen invasion of Egypt, there appeared at Constantinople an Ecthesis, or exposition of the Faith, which was affixed by the orders of Heraclius to the great gates of the church of St. Sophia. This document[2], after repeating in orthodox

635.

The Ecthesis of Heraclius, 638.

[1] Severinus 640; John IV 640–642; Theodorus 642–649.

[2] Quoted in full by Baronius, s. a. 639.

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638.

terms[1] the doctrines of the Trinity, of the Incarnation, of the two natures in Christ, declared that many were scandalised by the thought of two operations[2], two warring wills of the Saviour, that not even Nestorius in his madness, though he had divided Christ into two persons, had dared to say that their wills were contrary one to the other. 'Wherefore,' said the Ecthesis, 'following the holy Fathers in this and in all things, we confess one will of our Lord Jesus Christ, the very God, so that there was never a separate will in His body when animated by the intellect, which worked by a contrary motion natural to itself, but only such a will as operated when and how, and to what extent the God who was the Word willed[3].'

Then followed the usual profession of faith in the five great Councils, including Chalcedon, and the usual anathema of all the great heretics, from Novatus and Sabellius to Theodore, Theodoret, and Ibas.

This new declaration of faith, accepted generally in the East, except by the Patriarch of Jerusalem, was energetically repudiated at Rome, where Honorius, the peaceful and the unmetaphysical, no longer filled the Papal chair. First Severinus and then John IV

[1] Not very dissimilar, as it seems to me, to the so-called Athanasian creed.

[2] The Ecthesis forbade the use of the word energy (= operation), whether by those who asserted or those who denied the existence of one energy in Christ.

[3] 'Unde sanctos Patres in omnibus et in hoc sequentes unam voluntatem Domini nostri Jesu Christi verissimi Dei confitemur utpote in nullo tempore animati intellectualiter ejus corporis separatam, nec ex proprio impetu contrario motu unito ei Deo verbo in una substantia naturalem ejus producere motionem sed quando et qualem et quantam ipse Deus Verbum voluerat.'

set themselves to combat the new doctrine, and the latter Pope, while piously shielding the memory of Honorius, visited with absolute anathema the Ecthesis of Heraclius. The tidings of this condemnation, however, can hardly have reached the ears of the Imperial theologian. The anathema was probably pronounced in January, 641, and on the eleventh of February in the same year, Heraclius, who had long been suffering from a painful disease, died; thus ending one of the most glorious and one of the most disastrous reigns in the whole long history of the Eastern Caesars.

641.

Death of Heraclius.

With the death of Heraclius, a dispute, which had probably been long foreseen, broke out concerning the succession to the throne. Heraclius, after the death of his first wife Eudocia, had married his niece, the beautiful but ambitious Martina. Such a union, forbidden by Church law, and repugnant to the general feeling of Christendom, had been denounced even by the friendly Green faction in the Circus, and the Patriarch Sergius, who was ever the loyal henchman of Heraclius, wrote him a long letter, entreating him not thus to sully his fair fame; but passion won the day, and, in spite of all remonstrances, Martina became the Augusta of the Romans. Now, however, when after the death of her husband the middle-aged woman, whose beauty was probably faded, presented herself in the Hippodrome before the citizens of Constantinople, and claimed under her husband's will the right to administer the Empire as the senior partner of two Emperors, her stepson Constantine and her own son Heraclonas, the voices of the multitude clamoured against such a partition of power, crying out (as if Pulcheria and Theodora had been forgotten

Disputed succession.

614.

BOOK VII. CH. 1.

641.

names), 'You are honoured as the mother of the Emperors, but they as our Emperors and lords.' For the moment Martina retired into the background, and Constantine, third of that name, was recognised as Emperor, with Heraclonas for his younger colleague. After three months and a half, Constantine, apparently a weak and delicate man, died at Chalcedon, not without suspicion of foul play; and then Martina, as mother of Heraclonas, became again the chief person in the Empire. Neither she nor her children, however, were popular in Constantinople, and a large part of the army supported the claims of the young Heraclius, a boy of ten years old, son of the lately deceased Constantine. For a short time Heraclonas and the young Heraclius, whose name was changed to Constans[1], reigned together in apparent harmony; but there were mutual suspicions and jealousies, a sort of veiled civil war, and a popular insurrection[2]. The upshot of the whole business was that Martina and her son Heraclonas were banished, after punishments of that barbarous kind which was becoming characteristic of the Eastern Empire had been inflicted upon them. The tongue of the widowed Empress was cut out and her son's nose was slit. These punishments were inflicted by order of the Senate, by whose vote the child Constans became sole ruler of the Roman

Sept. (?) 641.

[1] More properly Constantine (IV), that being his title on the coins and in contemporary documents; but Constans, the name given him by Theophanes (possibly a popular nickname), is that by which he is generally known in history. Paulus calls him both Constantine and Constans.

[2] The events connected with this disputed succession are very obscurely indicated by the meagre authorities for the history of the time.

Empire. We shall meet with him again in a future chapter, and shall see his heavy hand laid on the Pope of Rome and on the people of Italy.

Constantine IV (Constans), 641-668. Constantine V, 668-685. Justinian II, 685-711.

Constans reigned from 641 to 668, and was succeeded by his son Constantine IV (or V), who in 685 was followed by his son Justinian II. With this strange, powerful, savage man, who, though named Justinian, resembled much more closely Nero or Commodus than the astute, diplomatic legislator whose name he bore, the dynasty of Heraclius came to an end (711). Something will have to be said in future chapters about all these three Emperors. It will be enough for our present purpose to repeat and emphasise the fact that the seventh century, which in the history of religion will ever be remembered as the century of Mohammed, was, in Imperial history, the century of the dynasty of Heraclius.

CHAPTER II.

THE FOUR GREAT DUCHIES.

I. The Duchy of Trient.

Sources:—

PAULUS following GREGORY and SECUNDUS.

Guide:—

My chief guide in this section is *Bartolommeo Malfatti* (author of 'Imperatori e Papi'), who has contributed two admirable papers on the subject to the 'Archivio Storico per Trieste, l'Istria e il Trentino, 1882–3.' In the first, 'I confini del Principato di Trento,' he discusses the boundaries of the Duchy and afterwards of the Prince-Bishopric of Trient. In the second, 'I castelli Trentini distrutti dai Franchi,' he examines with great care the statements of Paulus as to the Frankish campaigns in the Tridentine territory. Such an investigation as this, undertaken by one who knows thoroughly the district as well as the authorities, gives great confidence to a historian who is able to follow such a guide.

WE are already confronted with that difficulty of treating the history of Italy from one central point of view, which recurs in a far more embarrassing form in the history of the Italian Republics of the Middle Ages.

The Lombard Monarchy, as the reader must have already perceived, was a very loosely aggregated body; the great Duchies were always tending to fly off from

the central mass, and to revolve in orbits of their own. Two of them, Spoleto and Benevento, did in the end succeed in establishing a virtual independence of the Kingdom which had its seat at Pavia. There were two others, Trient and Friuli, which never quite succeeded in accomplishing the same result, being nearer to the heart of the monarchy, and not being liable, as the southern duchies were, to have their communication with the Lombard capital intercepted by bodies of Imperial troops moving between Rome and Ravenna. But though these great northern dukes did not achieve their independence, there can be little doubt that they desired it, and there is, to say the least, sufficient evidence of a separate political life in their states to make it desirable to treat their histories separately, though this course will involve us in some unavoidable repetition.

Semi-independence of some Lombard duchies.

DUKES OF TRIDENTUM.

EUIN
or EVIN,
569–595 (?),
married a daughter
of Garibald duke
of the Bavarians.

GAIDWALD,
'vir bonus ac fide
Catholicus,'
595 —.

ALAHIS,
circa 680–690.

Geographical position of Trient.

TRIDENTUM, which I generally speak of under its modern name TRIENT, has made a great mark in the ecclesiastical history of the last three centuries, owing to the choice that was made of this city as the seat of the Council that was summoned to define the faith, and so regulate the practice of the Churches still

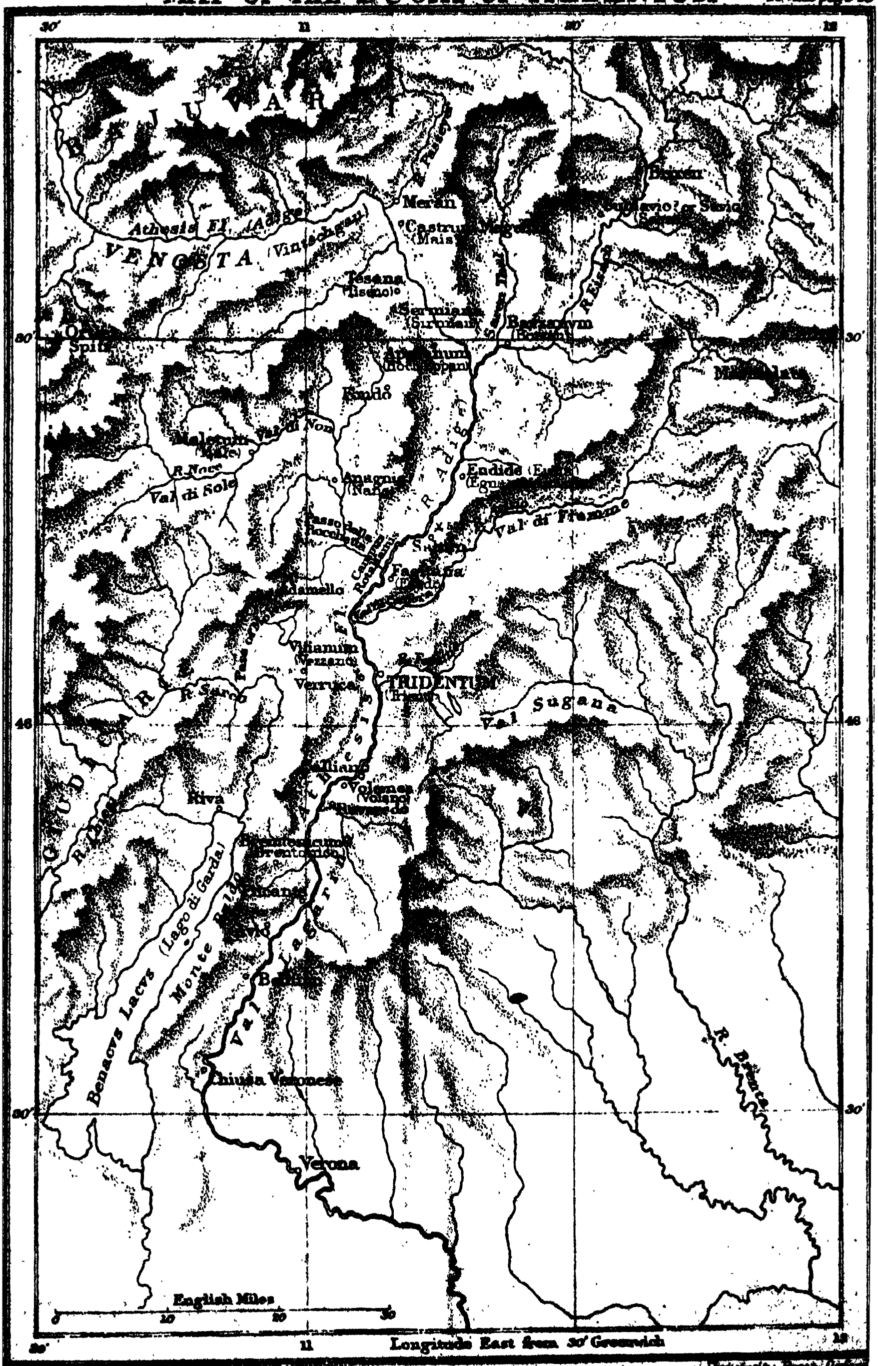
obedient to the see of Rome after the storms of the Reformation.

In Roman times, and in the centuries with which we are now dealing, its importance was derived from the fact that it was one of the chief border towns of Northern Italy, an outpost of Latin civilization far up under the shadow of the Alps, and the capital of the district watered by the upper Adige.

The modern province of Tyrol, as every traveller among the Eastern Alps knows, is composed of two main valleys, one running East and West, the valley of the Inn, and another running in the main North and South, the valley of the impetuous Adige. With the former, which constitutes Northern Tyrol, we have here no concern, and we have not to deal with quite the whole of the latter. The Adige descends from the narrow watershed which separates it from the Inn, and flows through the long trough of the Vintschgau (called in old times Venosta) to Meran, situated at the confluence of the stone-laden Passeyer, and proud of its memories of the Tyrolese patriot Hofer. Here in the days of the Emperors was the Roman station Castrum Magense (the modern Mais). About twenty miles further down the valley, the Adige, which here flows over dark slabs of porphyry rock, is joined by the Eisach, coming down from Brixen, and from the long Pusterthal. The next important stream that joins it is the Noce, which falls in from the West, after flowing round the base of the mighty mountain mass of the Adamello, and through the interesting valleys of Italian-speaking people known as the Val di Sole and the Val di Non. A little lower down, the Avisio, which has risen at the foot of the noble Dolo-

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University Press, Oxford

mitic mountain, the Marmolata, after then flowing through the Val di Cembra, joins the Adige from the East. Soon afterwards we reach at last the battlemented walls of the city of Trient, the true centre, as has been before said, of the Adige valley, being about equally distant from Meran in the North, and from Verona in the South. An unimportant stream, the Fersina, is all that here brings its contribution to the central river; but the position of Tridentum is important for this reason, that only a few miles off, and across a low watershed, we enter the broad valley which is known as the Val Sugana, and through which flows the stream of the Brenta, a stream that takes its own independent course past Bassano and Padua to the Adriatic, and there, more than any other single river, has been 'the maker of Venice.'

For the rest of its course the Adige flows through the narrow Val Lagarina, shut in by high hills on either side, and receiving no affluent of importance till it emerges upon the great Lombard plain, and darts under the embattled bridges of Verona, beyond which city we must not now follow its fortunes.

On the West, however, side by side with the Adige, during the last thirty miles of its course above Verona, but studiously concealed from it by the high barrier of Monte Baldo, stretches the long Lago di Garda, largest if not loveliest of all the Italian lakes; the sheet of water whose sea-like billows and angry roar when lashed by the tempest were sung by the great bard of not far distant Mantua[1]. Into this lake at its northern end pours the comparatively unimportant stream of

[1] 'Fluctibus et fremitu adsurgens Benace marino,' Virgil, Georgics, ii. 160.

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the Sarco, which draws its waters from the melted snows of the southern sides of Monte Adamello, as the Noce draws its waters from the North and West of the same great mountain-chain.

Every one who has travelled in the Tyrol knows that it is emphatically a land of mountain ridges and intervening valleys. Lakes like those of Switzerland are hardly to be met with there, but we find instead a cluster of long sequestered valleys, each of which is a little world in itself, and which, but for the artificial necessities of the tourist, would have little communication one with another. In order, therefore, to describe the territory of the Duchy of Trient under the Lombards, we have only to enumerate the chief valleys of which it was composed.

Limits of the Duchy of Trient.

According to Malfatti (whose guidance I am here following), when the Lombards first entered this region (probably in the year 569), and established themselves there under the rule of their duke Euin (or Evin), they took possession of the central valley of the Adige, about as far northward as the *Mansio* of Euna (represented by the modern town of Neumarkt), and southward to a point not far from the present Austro-Italian frontier, where the mountains are just beginning to slope down to the Lombard plain [1].

Of the lateral valleys, those watered by the Noce, the Avisio and the Sarco were probably included in the Duchy; and with the Sarco may have been also included the whole of the long and narrow valley of the Giudicarie, which touches that stream at its lower

[1] Malfatti is inclined to fix the boundary at the little Veronese town of Belluno, which must not be confounded with the larger Belluno on the Piave.

end. The short valley of the Fersina, of course, went with Tridentum, and probably also some portion, it is impossible to say how much, of the Val Sugana.

The boundary to the north is that which is most difficult to determine. As has been said, Malfatti fixes it in the earliest period at Euna. At that time we are to think of Bauzanum (Botzen), Castrum Magense (in the neighbourhood of Meran), and the valley of Venosta (Vintschgau), as all in the possession of the Bavarians, who were subject to the over-lordship of the kings of the Austrasian Franks. But as the tide of war ebbed and flowed, the Lombard dominion sometimes reached perhaps as far north as Meran in the valley of the Adige, and Brixen in the valley of the Eisach; and the Venostan region may have seen the squadrons of the Lombards, though it hardly can have owned them as its abiding lords.

Duke Euin, 569-595 (?).

The first duke of Tridentum, as has been said, was *Euin* or *Evin* (569-595 ?), who seems to have been a brave and capable man, and a successful ruler. It was he who began that system of alliance with the Bavarian neighbours on the north which was afterwards carried further by Authari and Agilulf: for he, too, married a daughter of Duke Garibald, and a sister of Theudelinda.

Frankish invasion under Chramnichis, 575-577 (?).

It was probably a short time after Duke Euin's marriage (which we may date approximately at 575), that an army of the Franks, under a leader named Chramnichis, entered the Tridentine territory, apparently in order to avenge the Lombard invasion of Gaul by the three dukes Amo, Zaban, and Rodan, which had been valiantly repelled by Mummolus[1].

[1] See vol. v. p. 220. Malfatti (p. 302) brings down the date of this invasion to 584, but I hardly think he shows sufficient

The Franks captured the town of Anagnis ('above Trient, on the confines of Italy[1]'), which seems to be reasonably identified with Nano in the Val di Non. The inhabitants, who had surrendered the town, seem to have been considered traitors to their Lombard lords, and a Lombard count named Ragilo, who (under Euin, doubtless) ruled the long Val Lagarina south of Trient, coming upon Anagnis in the absence of the Franks, retook the town and plundered its citizens. Retribution was not long in coming. In the Campus Rotalianus, the meadow plain at the confluence of the Noce and the Adige[2], Chramnichis met Ragilo returning with his booty, and slew him, with a great number of his followers. The Frankish general then, we are told, 'laid waste Tridentum,' by which we are probably to understand the territory round the town rather than the town itself, as the capture of so important a place would have been more clearly indicated by the historian. For Chramnichis also the avenger was nigh at hand. Duke Euin met him 'and his allies,' possibly some Roman inhabitants of the Tridentine who, like the citizens of Anagnis, had embraced the cause of the Catholic invader. The battlefield was Salurn on the Adige, a little north of the Campus Rotalianus. This time fortune favoured the Lombards. Chramnichis and his allies were slain, the booty was recaptured, and Euin recovered the whole Tridentine territory[3].

cause for such a departure from his authority (Paulus, H. L. iii. 9).

[1] 'Anagnis Castrum, quod super Tridentum in confinio Italiae positum est.'

[2] For this identification and that of all the other places about to be mentioned, I must refer to Malfatti's paper 'I Franchi nel Trentino.'

[3] 'Expulsisque Francis Tridentinum territorium recepit.'

Lombard annexation.

Not only did Euin resume possession of his duchy after the Frankish inroad, but he seems to have extended its limits; for when the Franks next invade the country, all the valley of the Adige as far as Meran, and that of the Eisach nearly up to Brixen, appear to be in the keeping of the Lombards. It is a probable conjecture, but nothing more, that this extension of the territory of the Lombards may have been connected in some way with the domestic troubles of their Bavarian neighbours, when Garibald their duke was attacked, possibly deposed, by his Frankish overlords [1].

Lombard invasion of Istria.

In the year 587, Duke Euin commanded the army sent by Authari into 'Istria.' Conflagration and pillage marked his steps, and after concluding a peace with the Imperialists for one year, he returned to his king at Pavia, bearing vast spoils [2].

Frankish invasion under Chedin, 590.

The next Frankish invasion of the Tridentine duchy was in 590, the year of Authari's death, when, as we have already seen [3], the Austrasian king and the Roman Emperor joined forces for the destruction of the unspeakable Lombards. We need not here repeat what the generals of the western armies, Audovald and Olo, accomplished, or failed to accomplish, against Bellinzona and Milan. Chedin [4], the third Frankish general, with thirteen 'dukes' under him, invaded the Lombard kingdom by way of the valley of the Adige,

[1] 'Cum propter Francorum adventum perturbatio Garibaldo regi advenisset' is all that we can learn as to the punishment of Garibald (Paulus, H. L. iii. 30).

[2] Paulus, H. L. iii. 27.

[3] See vol. v. p. 267.

[4] Called Chenus in the Byzantine letter to Childebert, apud Troya, iv. i. 121.

coming probably through the Engadine and down the Vintschgau to Meran[1]. Thirteen strong places were taken by them: the sworn conditions upon which the garrisons or the inhabitants surrendered these towns were disregarded with characteristic Frankish faithlessness, and the citizens were all led away into captivity. The names of these captured fortresses can for the most part be identified, and enable us to trace the southward progress of the invaders through the whole Tridentine territory. Tesana and Sermiana (Tiseno and Sirmian) are placed on the right bank of the Adige, some ten or twelve miles south of Meran. The position of Maletum is uncertain, but it was probably at Male, in the Val di Sole[2]. Appianum is the castle of Hoch Eppan on the mountains opposite Botzen. Fagitana is probably Faedo on the hilly promontory between the Adige and the Avisio, overlooking the former battlefield of the Rotalian plain. Cimbra must be placed somewhere in the lower part of the valley of the Avisio, which is still known as the Val di Cembra. Vitianum is Vezzano, a few miles west of Trient. Bremtonicum is Brentonico between the Adige and the Lago di Garda, nearly on a level with the head of the latter. Volaenes is Volano, a little north of Roveredo. The site of Ennemase must remain doubtful. If it is intended for Euna Mansio it is mentioned out of its natural order, as that station, whether rightly placed at Neumarkt or not, was certainly not far south of Botzen. The names of the other three 'camps' captured are not given us, but we are told that two were

[1] See Malfatti, ubi supra, p. 316.

[2] I do not think Malfatti (p. 319) shows sufficient cause against this identification.

in Alsuca (the Val Sugana), and one in [the territory of] Verona[1].

But where during this inflowing of the Frankish tide was the warlike duke of Tridentum? We are not expressly told, but, remembering that the letter of the Exarch of Italy to Childebert[2] mentions not only that Authari had shut himself up in Pavia, but that 'the other dukes and all his armies had enclosed themselves in their various castles[3],' we may conjecture that

[1] The passage of Paulus (H. L. iii. 31) from which these details are taken is a specimen, and not a very successful one, of his manner of dovetailing his authorities together. All the rest of the campaign of the Three Dukes is given in the words of Gregory of Tours (x. 3), the extract from whom ends with this sentence, 'Chedinus autem cum tredecim ducibus, laevam Italiae ingressus quinque castella cepit, quibus etiam sacramenta exegit.' Notice that Paulus does not even alter the 'laevam' of Gregory, who is writing as one north of the Alps, to the 'dexteram' which would be suitable in an Italian. Then comes the following passage, evidently an extract from the history of Secundus, and not quite agreeing with what has gone before, inasmuch as it enumerates thirteen castles instead of five: 'Pervenit etiam exercitus Francorum usque Veronam et deposuerunt castra plurima per pacem post sacramenta data, quae se eis crediderant, nullum ab eis dolum existimantes. Nomina autem castrorum quae diruerunt in territorio Tridentino ista sunt: Tesana, Maletum, Sermiana, Appianum, Fagitana, Cimbra, Vitianum, Bremtonicum, Volaenes, Ennemase, et duo in Alsucâ, et unum in Veronâ. Haec omnia castra cum diruta essent a Francis, cives universi ab eis ducti sunt captivi. Pro Ferruge vero castro intercedentibus episcopis Ingenuino de Savione et Agnello de Tridento data est redemptio per capud [*sic*] uniuscujusque viri solidus unus usque ad solidos sexcentos.' Paulus then with a few connecting words resumes the extract from Gregory.

[2] Troya, iv. 1. 121. See vol. v. p. 272.

[3] 'Et hoc habuimus in tractu quia Autharit [*sic*] se in Ticinis incluserat, aliique Duces omnesque ejus exercitus per diversa se castella recluserant.'

Euin, in obedience to the plan of defence devised for the whole kingdom, was holding Trient with a strong force, ready to resist a siege, but renouncing the attempt to prevent the ravage of his territory.

Siege of Verruca.

Over against the capital city of Trient on its western side stood the high hill-fortress of Verruca, as to the construction and repair of which, under Theodoric, we have some interesting information in the letters of Cassiodorus[1]. This castle probably it was which the historian calls '*Ferruge castrum,*' and which underwent a rigorous siege by the invading army. The fortress would have been compelled to surrender, but two bishops, Agnellus of Tridentum and Ingenuinus of Savio[2], interceded for the garrison, who were permitted to ransom themselves at the rate of a solidus[3] a head. The total ransom amounted to 600 solidi[4].

Retreat of the Franks.

It will be remembered that the campaign of the allied powers in 590 ended in a treaty between the Franks and the Lombards, which the Imperialists viewed with deep disgust, but the conclusion of which

[1] Variarum, iii. 48.

[2] Savio is probably the same as Sublavio, a station mentioned in the Antonine Itinerary, on the highway between Augusta Vindelicorum (Augsburg) and Verona; and it is believed to correspond with Seben, in the valley of the Eisach, a little south of Brixen. It is from this intervention of the bishop of Seben on behalf of the Lombard garrison that Malfatti infers that the Lombard duchy, before the Frankish invasion, included the valley of the lower Eisach, a probable but not a proved hypothesis.

[3] Twelve shillings.

[4] £360. The words used by Paulus (see note on p. 31) are peculiar. The last four words seem a roundabout way of saying that the garrison were 600 in number, if that be the writer's meaning. Is it possible that he means that the ransoms varied from one solidus for a common soldier to 600 solidi for a chieftain?

they were powerless to prevent. Probably the ransom of the garrison of Verruca was arranged for in these negotiations. The Frankish historian mentions the unwonted heat of the Italian summer as having exercised an unfavourable influence on the health of the invaders, and describes them as returning to their homes, decimated by dysentery, worn by hunger, and compelled to part with their raiment, and even with their arms, in order to procure necessary food. We can well understand that the Tridentine duchy was not at this time a highly cultivated or wealthy district, and that after three months of ravage not even the licence of a brutal soldiery[1] could extract any more plunder from the exhausted peasantry.

Peace in the Tridentine.

This, however, was the last invasion—as far as we know—that the Tridentine territory had to undergo for more than a century. The peace concluded by Agilulf with the Frankish kings must have been an especial blessing to this district, which had no other foes to fear except those who might enter their country from the north; since high mountain ranges secured them from invasion on the east and west, and on the south was the friendly territory of Verona.

Duke Gaidwald, 595.

It was probably about five years after the Frankish invasion that Duke Euin died, and was succeeded by *Gaidwald*, perhaps not a member of Euin's family[2], but who is spoken of as 'a good man and a Catholic.' With peace, and probably some measure of prosperity, the relations between the Lombards and the Romano-

[1] See Greg. Tur. x. 3 for the ravages committed by the Frankish troops in their own territory.

[2] The words of Paulus, '*datus est* eidem loco dux Gaidoaldus,' sound as if he had no hereditary claim to succeed Euin.

Rhaetian population in the valley of the Adige were growing more friendly, and now both ruler and people were no longer divided by the difference of creed.

The 'centrifugal' tendency, as it has been well called, so often to be found in these Teutonic states, and so especially characteristic of the Lombards, carried both Gaidwald of Trient and his neighbour of Friuli into opposition, estrangement, perhaps, rather than open rebellion, against King Agilulf. How long this estrangement may have lasted, or in what overt acts it may have borne fruit, we cannot say. All that we know is that the joyful year 603, perhaps the very Eastertide which witnessed the baptism of Theudelinda's son in the basilica of Monza, saw also the reconciliation of Gaidwald and his brother duke with Agilulf[1].

Duke Alahis (close of the seventh century).

From this point we hear very little more of the separate history of the Adige valley. We know neither the date of Gaidwald's death, nor the names of any of his successors save one. That one is a certain Alahis, who about the year 680 fought with the Count (Gravio) of the Bavarians, and won great victories over him, obtaining possession of Botzen (which had evidently therefore passed out of Lombard hands), and of many other strong places. These successes so inflated his pride that he rebelled against the then reigning king Cunincpert (688–700), with results which will have to

[1] 'Hoc anno Gaidoaldus dux de Tridento et Gisulfus de Forojuli cum antea a regis Agilulfi societate discordarent, ab eo in pace recepti sunt' (Paulus, H. L. iv. 27). If we are to take 'hoc anno' precisely, and as referring to what goes before, the death of the Emperor Maurice, the reconciliation of the two dukes must be dated in 602. But it seems rather to be connected with what follows—the baptism of Adalwald, which took place in 603.

be recorded when we come to that king's reign in the course of general Lombard history.

For the earliest period of the Lombard monarchy our information as to the duchy of Trient, doubtless derived from its citizen, 'the servant of Christ,' Secundus [1], is fairly full and satisfactory; but after his death (612) this source dries up, and none other is opened to us in its stead.

[1] 'Sequenti quoque mense Martis defunctus est apud Tridentum Secundus servus Christi de quo saepe jam diximus, qui usque ad sua tempora succinctam de Langobardorum gestis composuit historiolam' (Paulus, H. L. iv. 40).

DUKES OF FORUM JULII.

(Names of the dukes in capitals: kings of Italy in Italic capitals: conjectural links in the genealogy in small capitals.)

ALBOIN. — A sister.

(Children of the sister:) GISULF I, still living in 575. — GRASULF I, reigning in 589.

(Children of Grasulf I:) GISULF II, + circa 610? (married Romilda) — GRASULF II.

(Children of Gisulf II and Romilda:) TASO. — CACCO. — Radwald, duke of Beneventum, 642-647. — *GRIMWALD,* born circa 590, duke of Beneventum, 647-662, king of the Lombards, 662-671. — Appa, Gaila, Two other daughters.

AGO.

LUPUS, circa 662.

(Children of Lupus:) Theodarada, married Romwald I, duke of Beneventum. — Arnefrit.

WECHTARI (a native of Vicenza, contemporary with Grimwald, 662-671).

LANDARI.

(Children of Landari:) RODWALD. — Ado.

ANSPRIT (his usurpation occurred between 688 and 700).

FERDULF.

CORVULUS.

PEMMO, a native of Belluno.

(Children of Pemmo:) *RATCHIS,* king of the Lombards, 744-749. — Ratchait. — *AISTULF,* king of the Lombards, 749-757.

ANSELM?

Munichis.

(Children of Munichis:) Ursus, duke of Ceneda. — PETER.

RATGAUD, 775-776.

II. Duchy of Friuli.

Source:—PAULUS.

Guides:—

My chief guide for this section is *De Rubeis*, Monumenta Ecclesiae Aquilejensis (Argentinae, 1740); but I have also received much benefit from the conversation and writings of Cav. G. *Grion*, a learned and patriotic citizen of Cividale. On the difficult question of Gisulf's genealogy I have been much helped by two papers in the first volume of *Crivellucci's* Studi Storici. The ordinary theory identifying Alboin's nephew with the Gisulf who was killed in the Avar invasion in the early part of the seventh century is beset with chronological difficulties, for a full statement of which I must refer to those papers. I accept Crivellucci's theory of two Gisulfs, but venture to differ from him by suggesting that Gisulf II may have been nephew, not grandson, of Gisulf I.[1]

Situation of Friuli.

From the Armenian convent, or from any island on the north of Venice, the traveller on a clear afternoon in spring sees the beautiful outline of a long chain of mountains encircling the north-eastern horizon. He enquires their names, and is told that they are the mountains of Friuli. Possibly the lovely lines of Byron's 'Childe Harold' recur to his memory:—

> 'The moon is up, and yet it is not night;
> Sunset divides the sky with her; a sea
> Of glory streams along the Alpine height
> Of blue Friuli's mountains';

and the very name Friuli bears to his ears a sound of idyllic beauty and peace. Yet the name really speaks of war and of prosaic trade; of the march of legions and the passage of long caravans over dusty Alpine roads to the busy and enterprising Aquileia. Friuli,

[[1] Crivellucci (S. S. v. p. 126) is inclined to accept this modification of his theory.]

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once Forum Julii[1], derived its name, perhaps its origin, from the greatest of the Caesars, who probably established here a market for the exchange of the productions of Italy with those of the neighbouring Noricum, with which it communicated by means of the Pass of the Predil. Reading as we do in Caesar's Commentaries so much about his operations in Trans-Alpine Gaul and in Britain, we are in danger of forgetting the vast amount of quiet work of an organising kind which he achieved while tarrying in winter quarters in his other two provinces, Cis-Alpine Gaul (that is, Northern Italy), and Illyricum. This north-eastern corner of Italy is eloquent of the memory of that work. The mountains which part it off from the tributaries of the Danube are called the Julian Alps; the sequestered valley of the Gail is said to have been named Vallis Julia[2], and two towns, Julium Carnicum, north of Tolmezzo, and this Forum Julii[3], in the valley of the Natisone, also tell of the presence of the great dictator.

Reason for the choice of Forum Julii

This place, Forum Julii, now known not as Friuli but as *Cividale*[4] (as having been the chief *Civitas* of the district), was chosen as the capital of the great

[1] Called Forum Julium by the cosmographer of Ravenna, but I prefer to adopt the (surely more correct) form of the name used by Paulus.

[2] So say Gilbert and Churchill (Dolomite Mountains, p. 179).

[3] There is another and perhaps better known Forum Julii in Provence, the name of which has been transformed in Fréjus.

[4] According to De Rubeis (p. 560), the first trace of the city's new name, 'Civitas Austria,' is to be found in a charter of the year 1097. In the sixteenth century there appears to have been an unsuccessful attempt to revive the old name Forum Julii for the city (p. 1102). This name, however, was never lost for the district, which, as the *Marca* or *Comitatus Forojuliensis*, had a separate existence throughout the Middle Ages, owning the Patriarch of

(now Cividale) as the capital of the border duchy.

frontier duchy. Aquileia had been the chief city of the province, and the high roads which still converged towards that Venice of the Empire, the Pontebba and Predil Passes, the Pass of the Pear Tree, the road which skirted the Istrian coast—all these gave its distinctive character to the region. But Aquileia, though, as we have seen, it still retained its ecclesiastical importance, was not the place chosen for the seat of the Lombard duke. It was probably too near the sea to be altogether safe from the galleys of Byzantium; it was perhaps already beginning to be tainted with malaria; it was possibly considered not the best place for watching the passes over the mountains. Whatever the cause, the place chosen by the Lombards was, as has been said, Forum Julii, a town which held a respectable position under the Empire[1], but which attained its highest pitch of prosperity and importance under its Lombard rulers. Though now shorn of some of its old glory, Cividale is still one of the most interesting and picturesque cities of the Venetian mainland. It is situated on the north-eastern margin of that great alluvial plain, and clings, as it were, to the skirts of the mountains which are climbed by the highway of the Predil Pass. The city is divided from one of its suburbs by a deep gorge, through which,

Present aspect of Cividale.

Aquileia as its feudal superior. In 1418 it became subject to Venice as the result of a war between the Patriarch and the Republic.

[1] Forum Julii was evidently considered under the Empire one of the three most important places in the district of Carni, which nearly corresponded with the modern duchy of Friuli. Ptolemy (iii. 1. 29) enumerates Forum Julii (Φόρος Ἰούλιος), Concordia and Aquileia as the three chief inland cities of the Carni; and Cassiodorus (Var. xii. 26), on behalf of the Gothic king, remits the contributions of corn and wine which had been ordered from the cities of Concordia, Aquileia and Forum Julii.

blue as a turquoise, flow the waters of the river Natisone on their way to the ruins of desolate Aquileia. The gorge is spanned by a noble bridge (Il ponte del Diavolo), and its steep cliffs are crowned by the tower of the church of St. Francesco, and—more interesting to an archaeologist—by the quaint little building called Il Tempietto. This was once a Roman temple, dedicated, it is said, to Juno, but afterwards converted into a Christian basilica. The low marble screen which separates the choir from the nave, and the six statues at the west end, stiff and Byzantine in the faces, but with some remembrance of classical grace in the fall of their draperies, give a decidedly archaic character to the little edifice, and may perhaps date from the days of the Lombards[1].

The museum of Cividale is rich in objects of interest; a Roman inscription of the end of the second century making mention of *Colonia Forojuliensis*; a very early codex of the Four Gospels, with autographs of Theudelinda and other illustrious personages of the Middle Ages[2]; the Pax of St. Ursus, and ivory slab about six inches by three, representing the Crucifixion and set in a silver-gilt frame, which used to be handed to strangers to kiss, in token of peace[3]; and many other valuable relics of antiquity. But the relic which

[1] The Tempietto has been much altered and remodelled; but it seems to be admitted that no important change has been made in it since the eleventh, or at latest the twelfth, century.

[2] There is an interesting article by C. L. Bethmann, on the curious signatures scattered over this MS., in the second volume of the Neues Archiv (pp. 115–128).

[3] On this 'Pax' the sun and moon are represented (probably as veiling their faces at the sight of the Crucifixion). The Sun is represented as a young woman, the Moon as a stern old man; a curious evidence of Teutonic influence on symbolic art.

The 'Tomba di Gisolfo.'

is most important for our present purpose is the so-called Tomb of Gisulf. This is an enormous sarcophagus, which, when opened, was found to contain a skeleton, a gold breast-plate, the golden boss of a shield, a sword, a dagger, the end of a lance, and a pair of silver spurs. There was also an Arian cross of gold with eight effigies of Christ, and a gold ring with a coin of Tiberius I attached to it, which perhaps served as a seal. Undoubtedly this is the tomb of some great barbarian chief; but, moreover, there are rudely carved upon the lid the letters CISULF, which are thought by some to indicate that we have here the tomb of Alboin's nephew, Gisulf I, or his great-nephew, Gisulf II. This opinion is, however, by no means universally accepted, and it has been even asked by a German critic 'whether local patriotism may not have so far misled some enthusiastic antiquary as to induce him in clever fashion to forge the name of the city's hero, Gisulf[1].'

Such then is the present aspect of the little city which now bears the proud name of Cividale, and which once bore the even greater name of Forum Julii[2]. No doubt the chief reason for making this

[1] See A. Crivellucci, 'Studi Storici,' i. 84, quoting Freudenberg.

[2] Bethmann (referring to Venantius Fortunatus in Vita S. Martini) contends that the capital of the duchy, which he calls Castrum Julium, was at first fixed at *Julium Carnicum*, now the little village of Zuglio, among the mountains to the north of Tolmezzo, and that it was afterwards removed to Cividale. I do not think this theory ought to be accepted. It is most improbable that the Lombard duke would be willing to fix his quarters so high up among the mountains in the rainiest region of all Europe. At Tolmezzo, some eight miles below Zuglio, the average rainfall for the year is 75 inches, and in one year amounted to 141 inches (see Ball's Eastern Alps, p. 544). Gisulf might as well, nay

a stronghold of Lombard dominion was to prevent that dominion from being in its turn overthrown by a fresh horde of barbarians descending from the mountains of Noricum. Alboin remembered but too well that entrancing view of Italy which he had obtained from the summit of 'the royal mountain,' and desired not that any Avar Khan or Sclovene chieftain should undergo the same temptation, and stretch out his hand for the same glittering prize.

Gisulf, first duke of Forum Julii.

It was then with this view that (as has been already related [1]) Alboin selected his nephew and master of the horse [2], GISULF, a 'capable man,' probably of middle age, and made him duke of Forum Julii, assigning to him at his request some of the noblest and most warlike *faras*, or clans, of the Lombards for his comrades and his subjects. Horses also were needed, that their riders might scour the Venetian plain and bring swift tidings of the advance of a foe; and accordingly Gisulf

better, have remained on the north of the Alps as fix his seat at Julium Carnicum. How would his illustrious *faras* have relished the prospect of shivering away their lives in those mountain solitudes? and how would the troops of high-bred horses be reared in the narrow valley of the Chiasso? Moreover, by comparing the Antonine Itinerary with the Geographer of Ravenna, we can clearly distinguish *Castrum Julium* (Zuglio) from *Forum Julii* (Cividale), and Paulus throughout always speaks of 'Civitas vel potius castrum *Forojulianum*' as the capital of Gisulf.

[I am informed by S. Grion that the identification of Zuglio with Forum Julii was the device of the citizens of Udine, between which city and Cividale much local jealousy existed. The Roman inscription mentioned above puts it beyond a doubt that Cividale was the colony of Forum Julii, and the theory for which Bethmann contended has now scarcely any supporters.]

[1] See vol. v. p. 160.

[2] Marpahis: derived by Meyer (p. 298) from *marh* = horse, and *paizan* = to bridle (connected with Anglo-Saxon boetan): or, as before remarked = 'the mare-bitter.'

received from his sovereign a large troop of brood mares of high courage and endurance [1].

Boundaries of the Ducatus Forojuliensis.

The boundaries of the duchy of Forum Julii cannot be ascertained with even the same approximation to accuracy which may be reached in the case of the duchy of Tridentum. Northwards it probably reached to the Carnic, and eastwards to the Julian, Alps, including, therefore, the two deep gorges from which issue the Tagliamento and the Isonzo. Southwards it drew as near to the coast-line as it dared, but was limited by the hostile operations of the Byzantine galleys. The desolate Aquileia, however, as we have already seen, was entirely under Lombard, that is, under Forojulian domination, and Concordia was won from the Empire about 615 [2]. Opitergium (Oderzo) was a stronghold of the Empire in these parts till about the year 642. The Lombard king (Rothari), who then captured the city, beat down its fortifications, and a later king, Grimwald, about 667, having personal reasons of his own for holding Opitergium in abhorrence, razed it to the ground, and divided its inhabitants among the three duchies of Friuli, Treviso,

[1] 'Igitur ut diximus dum Alboin animum intenderet, quem in his locis ducem constituere deberet, Gisulfum, ut fertur, suum nepotem virum per omnia idoneum, qui eidem strator erat, quem linguâ propriâ *marpahis* appellant, Forojulianae civitati et totae (*sic*) illius regioni praeficere statuit. Qui Gisulfus non prius se regimen ejusdem civitatis et populi suscepturum edixit, nisi ei quas ipse eligere voluisset Langobardorum *faras* (hoc est generationes vel lineas) tribueret. Factumque est, et annuente sibi rege quas obtaverat (*sic*) Langobardorum praecipuas prosapias ut cum eo habitarent accepit. Et ita demum ductoris honorem adeptus est. Poposcit quoque a rege generosarum equarum greges, et in hoc quoque liberalitate principis exauditus est' (H. L. ii. 9).

[2] See Diehl, Études, &c., p. 50, n. 7, and authorities there cited.

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and Ceneda. The fact of this threefold division gives us some idea how far westward the duchy of Forojulii extended. In this direction it was bounded neither by the Alps nor by the unfriendly sea, but by other Lombard territory, and especially by the duchy of Ceneta (Ceneda)[1]. The frontier line between them is drawn by some down the broad and stony valley of the Tagliamento, by others at the smaller stream of the Livenza[2]. On the latter hypothesis Gisulf and his successors ruled a block of territory something like fifty miles from west to east and forty miles from north to south. Broadly speaking, while Aquileia and the roads leading to it gave the distinctive character to this duchy, the necessity of guarding the passes against barbarous neighbours on the north gave its dukes their chief employment. It was emphatically a border principality, and *markgraf* was the title of its chief in a later century. The neighbours in question were perhaps the *Bavarians* at the north-west corner of the duchy; but far more emphatically all round its north-eastern and eastern frontiers, the *Sclavonians*, from whom are descended the Sclovenic inhabitants of the modern duchy of Carniola. Behind these men, in the recesses of Pannonia, roamed their yet more barbarous lords, the Asiatic *Avars*, the fear of whose terrible raids lay for centuries as a nightmare upon Europe.

[1] As there was the seat of a bishopric at Belluno, we may perhaps conjecturally place the residence of a Lombard duke at that city, ruling the valley of the upper Piave, and possibly part of the valley of the Brenta (see Pabst, p. 438).

[2] See De Rubeis, p. 223. He remarks, 'Fines ampliores decursu temporum obtinuit Ducatus Forojuliensis.'

Early rulers of the duchy.

For a reason which will shortly be stated, the information vouchsafed to us by Paulus as to the earliest history of the duchy of Friuli is less complete than that which he gives us as to the neighbouring duchy of Trient; an inferiority which is all the more noticeable since the Lombard historian saw in Friuli the cradle of his own race. From the year 568 till about 610, we have only two or three meagre notices of the history of Forum Julii in the pages of Paulus; but some hints let fall in the correspondence of the Exarch of Ravenna with the Frankish king enable us partly to supply the deficiency. *Gisulf*, the nephew of Alboin, was, as we are expressly informed, still living at the time of the commencement of the interregnum (575)[1]. His reign, however, was apparently not a very long one, for in the year 589 we find another person playing a prominent part in the politics of north-eastern Italy, by name Grasulf; and this man, who was in all probability a brother of Gisulf I, was almost certainly duke of Forum Julii. To this *Grasulf*, who was evidently an influential personage as he was addressed by the title 'Your Highness[2],' a strange but important letter was addressed in the name of the Frankish king Childebert[3] by a secretary or other official named

Gisulf I.

Grasulf I.

[1] Paulus (H. L. ii. 32) mentions 'Gisulfus' as 'dux Forumjuli.'

[2] 'Vestra Celsitudo.'

[3] I take both the date of this letter, and its connection with Childebert, on the authority of Troya and Weise. The letter itself (No. XLII in Troya, iv. 1) is simply entitled 'Gogo Grasulpho de nomine regis,' but it seems to be admitted on all hands that this king is Childebert. Gregory of Tours informs us that there was a Gogo who was 'nutricius' ('foster-father') of the child-king Childebert; but he says that he died not long after the sixth year of that king's reign, about 582–83. If therefore the date assigned to this letter (589) be right, it cannot have been written by that

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Childebert's letter to Grasulf, 589 (?).

Gogo. In this letter the Frankish secretary acts as a sort of 'honest broker' between the Emperor and the Lombard chief. He says in brief, 'Your Highness has made known to us by your relation Biliulf a certain proposition very desirable for all parties, which ought to be put into shape at once, that we may break the obstinacy of our foes. The most pious Emperor has signified that he is going to send a special embassy, and we may expect its arrival any day; but as time presses we will lay before you two courses and leave it to you to decide between them.

'I. If you can give the Republic sufficient security[1] for the fulfilment of your promises, we are prepared to hand over to you the whole sum of money in hard cash. Thus the injuries done to God will cease; the blood of our poor Roman relations will be avenged, and a perpetual peace will be established [between you and the Empire][2].

'II. But if you are not satisfied with the authority of the document which conveys to you the Emperor's

Gogo. But in our great ignorance of the transactions of these times I do not see anything in the contents of this letter to forbid the hypothesis that it was written about 583 or 584, and therefore possibly by the 'nutricius' Gogo. In that case Crivellucci's suggestion that Grasulf's treason was caused by pique at the election of Authari would receive striking confirmation.

This letter is full of enigmatical passages, partly proceeding from corruption of the text, and I do not pretend to give anything like a literal translation.

[1] Or rather perhaps 'if you are satisfied with the security offered you by the Republic,' but Gogo's language is very obscure.

[2] 'His itaque omnibus adimpletis instituite placita (?) et tentemus pariter Dei injuriam et sanguinem parentibus nostris Romanis (Christo praesule) vindicare, ita ut in perpetuae pacis securitatem, vel de reliquis capitulis utriusque partibus opportunis intercurrentibus, in posterum terminetur.'

offer[1], and therefore cannot yet come to terms, the most pious Emperor will send plenipotentiaries, and you also should send men to meet them somewhere in our territory. Only we beg that there may be no more delay than such as is necessarily caused by a sea voyage in this winter season; and that you will send persons who have full power finally to settle everything with the representatives of the Emperor.

'Do this promptly, and we are prepared to join our forces with yours for the purpose of revenge [on the common foe], and to show by our actions that we are worthy to be received by the most pious Emperor into the number of his sons.'

Obscure as is the wording of this letter, there can be no doubt as to its general purport. Grasulf, evidently a man of high rank and great power, is a traitor to the national Lombard cause, and is preparing to enter into some sort of federate relation with the Empire, if he can receive a sufficiently large sum of money; and for some reason with which we are not acquainted, the Frankish king, or rather his secretary, is employed as the go-between to settle the price of Grasulf's fidelity, and the terms of payment.

If the intending traitor was, as I believe him to have been, a nephew of Alboin, and the duke of the great frontier-province of the new kingdom, it is evident that we have here a negociation which might have been of the utmost importance to the destinies of Italy. And the suggestion[2] that one motive for

[1] A conjectural translation of 'Si in vos vigor Pontificii (*sic*) non consistit ut jam de praesenti possitis haec omnia fiducialiter pacisci.'

[2] Made by Crivellucci, p. 68.

Grasulf's meditated treason may have been resentment at his own exclusion from the throne when, at the end of the interregnum, he, Alboin's nephew, was passed over, and the young Authari was invested with the robes of the restored kingship, seems to me one which has much to recommend it on the score of probability, though we can produce no authority in its favour.

Second letter. Exarch Romanus to Childebert, 590.

However, the negociations for some reason or other fell through, and Grasulf did not surrender the duchy of Forum Julii to the Empire. For in the year 590, the Exarch Romanus, writing to King Childebert, and describing the course of the war, says, 'Returning [from Mantua] to Ravenna, we decided to march into the province of Istria[1] against the enemy Grasulf. When we arrived in this province Duke Gisulf, *vir magnificus*, son of Grasulf, desiring to show himself in his youthful manhood better than his father, came to meet us that he might submit himself, his chiefs, and his entire army with all devotion to the holy Republic[2].'

Here again, though we have no express identification

[1] Some difficulty has been caused by the use of the words 'the province of Istria,' because it is thought that the territory of Forum Julii would not be included within its limits, the Isonzo having been old of the boundary between Istria and Venetia. But I think that both the express words of Paulus (H. L. ii. 14) and the usage of Gregory I justify us in saying that Venetia and Istria were at this time always treated as one province, which (especially since the greater part of Venetia had fallen into the hands of the Lombards) was often called by the name of Istria alone.

[2] 'Ravennam remeantes in Histriam provinciam, contra hostem Grasoulfum deliberavimus ambulare. Quam provinciam venientes, Gisulfus Vir Magnificus, Dux, filius Grasoulfi, in juvenili aetate meliorem se patre cupiens demonstrare, occurrit nobis, ut cum omni devotione Sanctae Reipublicae, se cum suis prioribus et integro suo exercitu, sicut fuit (? fecit) subderet' (Troya, iv. 1, No. XLVI). See vol. v. p. 273.

of the actors in the drama with the ducal family of Friuli, everything agrees with the theory that they are the persons concerned. Duke Grasulf, as we may reasonably conjecture, was only half-hearted in his treachery to the Lombard cause. When it came to the point of actually surrendering fortresses, or giving any other sufficient security for the fulfilment of his compact with the Roman Republic, the negociation broke down. His son Gisulf, who had perhaps succeeded his father Grasulf in the course of this campaign of the Exarch's [1], took an opposite line of policy to his father, and professed that he would do that which Grasulf had failed to do. He would show himself more loyal to the Empire than his father, and would bring over all the heads of the Lombard *faras*, who were serving under him, and all their men, to the holy Republic.

Gisulf (II) reconciled to Agilulf, 603.

However, as far as we can discern the misty movements of these Sub-Alpine princes, Gisulf did not in the end prove himself any more capable friend to the Empire than Grasulf had done. If there had been any wholesale surrender of Forojulian fortresses to the Exarch we should probably have heard of it from Paulus. As it is, all that the Lombard historian tells us is that Gisulf of Friuli, as well as his brother-duke Gaidwald of Trient, having previously stood aloof from the alliance of King Agilulf, was received by him in

[1] We might in this way explain the fact that Romanus marches 'contra hostem Grasoulfum,' and yet that Gisulf is spoken of as 'Dux.' Or his father may have been old and infirm, and he may have been associated with him as 'Dux,' and put in command of the main body of the army which he here proposes to lead over to the enemy.

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peace after the birth of his son[1], and that Gisulf concurred with the king in promoting the election of Abbot John as the schismatic Patriarch of Aquileia after the death of Severus in 606[2].

Invasion of the Avars, 610 (?).

But terrible disaster from an unexpected quarter was impending over the house of Gisulf and the duchy of Friuli. We have seen that hitherto, from the time of the Lombards' departure from Pannonia, their relations with the Avar lords of Hungary had been of the most friendly character. There had been treaties of alliance; menacing cautions to the Frankish kings that if they would have peace with the Avars they must be at peace with the Lombards also; joint invasions of Istria; help given by Agilulf to the Great Khan[3] by furnishing shipwrights to fit out his vessels for a naval expedition against the Empire[4]. Now, for some reason or other, possibly because the Lombards were growing too civilized and too wealthy for the taste of their barbarous neighbours, the relations between the two peoples underwent a disastrous change. Somewhere about the year 610, the Khan of the Avars mustered his squalid host, and with 'an innumerable multitude' of followers appeared on the frontier of Friuli[5]. Duke Gisulf set his army in array, and went boldly forth

[1] 'Hoc anno Gaidoaldus dux de Tridento et Gisulfus de Forojuli cum antea a regis Agilulfi societate discordarent ab eo in pace recepti sunt' (Paulus, H. L. iv. 27).

[2] 'His diebus defuncto Severo patriarcha ordinatur in loco ejus Johannes abbas patriarcha in Aquileiâ vetere cum consensu regis et Gisulfi ducis' (Paulus, H. L. iv. 33). See vol. v. p. 481.

[3] Or Chagan.

[4] Paulus, H. L. iv. 24. 20.

[5] 'Circa haec tempora rex Avarum quem sua lingua Cacanum appellant cum innumerabili multitudine veniens Venetiarum fines ingressus est' (Paulus, H. L. iv. 37). Some writers, in order to lessen the difficulties of the Gisulf genealogy, bring the Avar

610 (?).

against the enemy, but all his Lombard *faras* were few in number in comparison with that multitudinous Tartar horde: they were surrounded and cut to pieces; few fugitives escaped from that terrible combat, and Gisulf himself was not among the number. There was nothing left for the remnant of the Lombards but to shut themselves up in their stronghold, and to wait for the help which doubtless they implored from King Agilulf. Seven strong fortresses, partly in the valley of the Tagliamento and partly under the shadow of the Julian Alps, are expressly mentioned as having been thus occupied by the Lombards, besides the capital and several smaller castles [1].

Siege of Forum Julii.

But the kernel of the national defence was, of course, Forum Julii itself, where the few survivors of Gisulf's host, with the women and the lads who had been too young for the battle, manned the walls, whence they looked forth with angry, but trembling hearts on the Avar hordes wandering wide over the fair land, burning, robbing and murdering. Hardly more

invasion forward to 602. The date usually assigned to it is 611. I do not think the vague 'Circa haec tempora' of Paulus immediately following the history of the reign of Phocas (602–610) will enable us to go further than I have done in the text. If the death of Severus, the Patriarch of Aquileia, occurred in 606, the Avar invasion must be placed after that date, since Gisulf concurred in the nomination of his successor (see Crivellucci, pp. 79–80). He places the invasion about 603, but I think this is too early. [Crivellucci (S. S. v. p. 126) in answer to this note admits that the invasion may have happened in 604 or 605, but argues against any later date.]

[1] The seven fortresses are Gemona, Artenia, Osopo and Reunia (perhaps = the modern *Ragegna*) in the valley of the Tagliamento, Nemae (*Nimis*) under Monte Bernardin, Ibligo (*Ipplis*, about five miles south of Cividale), a fortress, 'whose position is altogether impregnable,' and Cormones (*Cormons*), still further to the south,

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than a generation had passed since the Lombards had been even thus laying waste the dwellings of the 'Romans,' and now they were themselves suffering the same treatment at the hands of a yet more savage foe. The family of the dead warrior Gisulf, as they stood on the battlements of Forum Julii, consisted of his widow Romilda and his four sons, of whom two, Taso and Cacco, were grown up, while Radwald and Grimwald were still boys. There were also four daughters, two of whom were named Appa and Gaila, but the names of the other two have perished.

Romilda's crime.

The Avar host of course besieged Forum Julii, and bent all their energies to its capture. While the Grand Khan was riding round the walls of the city, seeking to espy the weakest point in its fortifications, Romilda looked forth from the battlements, and seeing him in his youthful beauty, felt her heart burn with a shameful passion for the enemy of her people, and sent him a secret message, that if he would promise to take her for his wife she would surrender to him the city with all that it contained. The Khan, with guile in his heart, accepted the treacherous proposal; Romilda caused the gates to be opened; and the Avars were within the city. Every house was, of course, plundered, and the citizens were collected outside the walls that they might be carried off into captivity. The city itself was then given to the flames. As for Romilda, whose lustful heart had been the cause of all this misery, the Khan, in fulfilment of his plighted oath, took her to his tent, and for one night treated

now situated on the railway between Udine and Görz. I take the identification of sites from the M. G. H., but have not as much confidence in them as in Malfatti's work on the Tridentine castles.

610 (?).

her as his wife; but afterwards handed her over to the indiscriminate embraces of his followers, and finally impaled her on a stake in the middle of the plain, saying that this was the only husband of whom Romilda was worthy. The daughters of the traitress, who did not inherit her vile nature, succeeded by strange devices in preserving their maiden honour; and though sold as slaves and forced to wander through strange lands, eventually obtained husbands worthy of their birth, one of them being married to the king of the Alamanni, and another to the duke of the Bavarians [1].

Fate of the Lombard captives.

As for the unhappy citizens of Forum Julii, their captors at first somewhat soothed their fears by telling them that they were only going to lead them back to their own former home in Pannonia. But when in the eastward journey they had arrived as far as the Sacred Plain [2], the Avars either changed their minds, or revealed the murderous purpose which they had always cherished, and slaughtered in cold blood the Lombard males who were of full age, dividing the women and children among them as their slaves. The sons of duke Gisulf, seeing the wicked work begun, sprang on their horses, and were about to take flight. But it was only Taso, Cacco, and Radwald who were yet practised horsemen, and the question arose what should be done with the little Grimwald, who was thought to be yet too young to keep his seat on a galloping horse. It seemed a kinder deed to take his life than to leave him to the squalid misery of

[1] Paulus, H. L. iv. 37, from whom all this narrative is taken, relates these two distinguished marriages of Gisulf's daughters with a 'dicitur.'

[2] 'Cum patriam revertentes ad campum quem Sacrum nominant pervenissent.' Apparently this place has not been identified with any modern site.

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Escape of Grimwald.

captivity amongst the Avars; and accordingly one of his older brothers lifted his lance to slay him. But the boy cried out with tears, 'Do not pierce me with thy lance; I, too, can sit on horseback.' Thereupon the elder brother stooped down, and catching Grimwald by the arm, swung him up on to the bare back of a horse, and told him to stick on if he could. The lad caught hold of the bridle, and for some distance followed his brothers in their flight. But soon the Avars, who had discovered the escape of the princes, were seen in pursuit. The three elder brothers, thanks to the swiftness of their steeds, escaped, but the little Grimwald fell into the hands of the foremost of the band. The captor deemed it unworthy of him to smite with the sword so young an enemy, and determined rather to keep him, and use him as a slave. He therefore caught hold of his bridle, and moved slowly back to the camp, delighting in the thought of his noble prize: for the slender figure of the princely boy, his gleaming eyes, and thick clustering locks of flaxen hair were fair to behold, especially to one accustomed to nought but the mean Kalmuck visages of the swarthy Avars. But while the captor's heart was swelling with pride, grief at his captivity burned in the soul of Grimwald.

'And mighty thoughts stirred in that tiny breast[1].'

He quietly drew from its sheath the little sword which he carried as the child of a Lombard chief, and watching his opportunity dealt with all his might a blow on the crown of the head of his Avar captor.

[1] Paulus here quotes a line from Virgil—

'Ingentes animos angusto in pectore versans.'

The quotation is from Georgic iv. 83, where it is applied to the soldier-bees.

610 (?).

Wonderful to tell, the stripling's stroke was fatal. The Avar fell dead from his horse, and Grimwald, turning the head of his steed rode fast after his brothers, whom he overtook, and who hailed him with shouts of delight both at his escape, and at his first slaughter of a foe.

So runs the story of Grimwald's escape as told in the pages of Paulus. It is Saga of course; and in order to magnify the deeds of one who became in after years the foremost man of the Lombard nation, it is very possible that the bards have somewhat diminished the age of the youthful warrior. But it is not worth while to attempt the now hopeless task of disentangling poetry from prose. A historian who is so often compelled to lay before his readers mere names of kings and dukes without one touch of portraiture to make them live in the memory, may be excused for wishing that many more such Sagas had been preserved by the Lombard chronicler.

Story of the ancestors of Paulus Diaconus.

Happily at this point Paulus interrupts the course of the general history, in order to give us some information as to the fortunes of his own forefathers [1]; and this little chapter of family history helps us to understand the immense and terrible importance of the Avar raid into Friuli, a raid which in many ways reminds us of the Danish invasions of Anglo-Saxon England in the ninth and tenth centuries; like them blighting a young and tender civilization, and like them probably destroying many of the records of the past.

[1] 'Exigit vero nunc locus, postpositâ generali historiâ, pauca etiam privatim de meâ, qui haec scribo, genealogiâ retexere, et quia res ita postolat (*sic*) paulo superius narrationis ordinem replicare.'

The first of his ancestors mentioned by Paulus is Leupchis [1], who came into Italy in the year 568 at the same time with the great body of his countrymen [2]. After living many years in Italy he died, leaving behind him five young sons, who having apparently escaped death by reason of their tender age, were all swept by the tempest of the invasion from Friuli into Avar-land. Here they groaned under the yoke of their captivity for some years; but when they had reached man's estate, the youngest, named Lopichis, by an inspiration from above, conceived the thought of returning to Italy, and regaining his freedom. Having resolved on flight he started, taking with him only his quiver and his bow, and as much food as he could carry. He was utterly ignorant of the road, but, strange to say, a wolf was his guide through the mountain solitudes. When he halted the wolf halted too: when he lagged behind, the creature looked around to see if he were following, and thus he at length perceived that the wild beast was his divinely appointed guide. But after some days' wandering amid the desolate mountains (probably in the district of the

[1] GENEALOGY OF PAULUS DIACONUS.

LEUPCHIS
(came into Italy with Alboin).

Four sons died in Avar-land. — LOPICHIS.

LOPICHIS.
ARICHIS.
Theudelinda = WARNEFRIT.
PAULUS. ARICHIS.

[2] The language of Paulus seems to leave it doubtful whether Leupchis was actually one of Alboin's soldiers, though he came from Pannonia at the same time as the rest of his countrymen.

Karawanken Alps) his provisions came to an end, and his death seemed nigh at hand. Faint with hunger, he fitted an arrow to the string and aimed at his heaven-sent guide, thinking that even its flesh might save him from starvation. The wolf, however, seeing what he meditated, vanished from his sight. Then Lopichis, despairing of life, fell to the ground and slept; but in his slumber he saw a man who seemed to say to him, 'Arise! why sleepest thou? Resume thy journey in the opposite direction to that in which thy feet are now pointing, for there lies the Italy of thy desire.' He arose at once, journeyed in the direction indicated, and soon came among the dwellings of men. It was a little Sclavonic village that he entered; and there he found a kindly woman who, perceiving that he was a fugitive, received him into her cottage, and hid him there, and perceiving moreover that he was nearly dead with hunger, gave him food gradually and in small quantities as he was able to bear it. At length, when he had sufficiently recovered his strength, she gave him provisions for the journey, and pointed out to him the road to Italy, which country he entered after certain days. He at once sought his old home, but found no trace of the ancestral dwelling left, only a vast tangle of thorns and briers. Having cleared these away, he came upon a large elm growing within the old enclosure of his home, and in this tree he hung up his quiver[1]. Some of his relatives and friends gave him presents which enabled him to rebuild his house and to marry a wife; but the property which had once been his father's he could not recover, as the men who had occupied it pleaded successfully the rights of long

[1] As a sign of taking possession (?).

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possession. Lopichis was the father of Arichis, Arichis of Warnefrit, and Warnefrit, by his wife Theudelinda (named no doubt in honour of the great Lombard queen) had two sons, one of whom was the historian, and the other (named after his grandfather) was his brother Arichis [1].

Dukes Taso and Cacco.

We return to the history of the duchy of Friuli, of which, after the death of Gisulf, and the withdrawal of the Avars, Taso and Cacco, the two eldest sons of Gisulf, became joint lords. They seem to have been valiant in fight, for they pushed the boundaries of their territory northward as far as Windisch-Matrei, adding the whole long valley of the Gail to their dominions, and compelling the Sclovene inhabitants of that region to pay tribute, which they continued to do for more than a century [2].

Extension of territory Northward.

[1] It seems probable that Paulus has omitted some links in the family genealogy. Three generations are very few to cover the period between the Avar invasion and Charles the Great, between Leupchis, who came (presumably as a full-grown man) into Italy in 568, and Paulus himself, who was born about 720. Besides, it is strange that Leupchis, a grown man in 568, should leave five little children ('pueruli') at the time of the Avar invasion in 610. Most likely, then, owing to the destruction of records during that invasion, a generation has been omitted from the historian's own pedigree, as well as from that of duke Gisulf. Even after Lopichis' return the number of generations (say three to 120 years if Lopichis was born in 600) is somewhat scanty, though not impossibly so.

[2] Till the time of duke Ratchis (740). 'Hi suo tempore Sclavorum regionem quae Zellia appellatur usque ad locum qui Medaria dicitur possiderunt (*sic*). Unde usque ad tempora Ratchis ducis idem Sclavi pensionem Forojulanis ducibus persolverunt' (Paulus, H. L. iv. 38). For the identification of Zellia with the Gail-thal I am indebted to Gilbert and Churchill (Dolomite Mountains, p. 179 note). It seems to me much more probable than the identification with Cilli. For Medaria, Waitz suggests Windisch-Matrei.

Treachery of the Exarch (?) Gregory.

But the two sons of Gisulf, who had escaped from the swords of the Avars, fell before the vile treachery of a Byzantine official. The Exarch[1] Gregory invited the young duke Taso to come and meet him at the Venetian town Opitergium (*Oderzo*), which was still subject to the Empire, promising to adopt him as his 'filius per arma,' the symbol of which new relationship was the cutting off of the first downy beard of the young warrior by his adoptive father. Fearing no evil, Taso went accordingly to Opitergium with Cacco, and a band of chosen youthful warriors. As soon as they had entered the city, the treacherous governor caused the gates to be shut, and sent a band of armed men to attack the young Forojulian chiefs. Seeing that death was inevitable, they resolved to sell their lives dearly, and having given one another a last farewell, the two dukes and their comrades rushed through the streets and squares of the city slaying all whom they met. The slaughter of Roman citizens was terrible, but in the end all the Lombards were left dead upon the pavement of Opitergium. The Exarch ordered the head of Taso to be brought to him, and with traitorous fidelity cut off the beard of the young chieftain, so fulfilling his promise[2].

[1] Paulus calls him 'Patricius Romanorum,' but we can hardly be wrong in interpreting this to mean Exarch.

[2] 'Fredegarius' (so-called) tells a story (iv. 69) which seems to be derived from this, as to the murder of Taso, 'duke of Tuscany,' by the Patrician Isaac. According to him Charoald (Ariwald), king of the Lombards, offers Isaac that he will remit one of the three hundredweights of gold which the Empire pays yearly to the Lombards if he will put Taso out of the way. Isaac accordingly invites Taso to Ravenna, offering to help him against 'Charoald,' whom Taso knows that he has displeased. Taso repairs to Ravenna with a troop of warriors, who, through fear of

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Such is the story of the massacre of Opitergium as related to us by the Lombard historian. It is possible that there is another side to the story, and that some excesses of Taso's henchmen may have provoked a tumult, in which he and his brother perished; but as it is told to us the affair reminds us of the meditated massacre of Marcianople[1]; and like that massacre it was bitterly avenged.

Grasulf (II) duke.

The two young dukes of Friuli being thus cut off in their prime, their uncle Grasulf, brother of Gisulf, succeeded to the vacant duchy[2]. Radwald and Grimwald, sore at heart at being thus passed over, took ship, and sailed for Benevento, where, as we shall see, they had an old friend in the person of the reigning duke. We, too, will follow their example, and leave Friuli for Benevento, for there is nothing further recorded of the history of the former duchy for half a century after the invasion of the Avars.

the Emperor's displeasure, are prevailed upon to leave their arms outside the walls. They enter the city, and the prepared assassins at once rush upon and kill them. Thenceforward the yearly *beneficia* from the Empire to the Lombards are reduced from three hundredweights of gold to two. Soon after 'Charoald' dies. As Ariwald's reign lasted from 626 to 636, and as Isaac did not become Exarch till 620, it seems to me absolutely impossible in any way to reconcile this wild story with the events described by Paulus, which must have happened many years earlier. Either 'Fredegarius,' who is a most unsafe guide, has got hold of an utterly inaccurate version of the death of Taso, son of Gisulf II, or the coincidence of name is accidental, and the story of 'Fredegarius' relates to some completely different series of events to which we have lost the clue.

[1] See vol. i. p. 109 (p. 257, second edition).

[2] I do not attempt to assign any date for these events. De Rubeis puts the Avar invasion in 615, the accession of Grasulf (II) 616, and his death 661. The last date is almost certainly too late, but we have only conjecture to guide us.

DUKES OF BENEVENTUM.

(Names of the dukes in capitals: king of Italy in Italic capitals.)

ZOTTO,
571 (?)–591.

ARICHIS I,
591–641.

AIO,
641–642.

Gisulf (II),
duke of Forumjulii.

RADWALD,
642–647.

Ita ═ *GRIMWALD I*,
647–662
(king of the Lombards, 662–671).

ROMWALD I, ═ Theodarada,
662–687. daughter of Lupus, duke of Forumjulii.

Wigilinda, ═ GRIMWALD II,
daughter of Perctarit, king of the Lombards. 687–689.

GISULF I, ═ Winiperga.
689–706.

Arichis.

GREGORIUS
(a kinsman of king Liutprand married Giselperga),
732–739.

Gumperga, ═ ROMWALD II, ═ Ranigunda,
niece of Liutprand, king of the Lombards. 706–730 (?). daughter of Gaidwald, duke of Brescia.

AUDELAIS,
730 (?)–732
(rebel).

Anna ═ GOTTSCHALK
(a rebel duke),
739–742.

GISULF II, ═ Scauniperga.
742–751.

LIUTPRAND,
751–758
(deposed by king Desiderius).

ARICHIS II,
758–787,
takes in 774 the title of *Prince of Beneventum*.

[Crivellucci (S.S. iv. pp. 543–550) differs from this, the ordinarily accepted chronology, in that he will not admit that Grimwald was reckoned as Duke of Beneventum after his accession to the Lombard throne.

He therefore makes Romwald's sixteen years reach from 622 to (*circa*) 677; but then there is the difficulty that Gisulf I must be made to synchronise with Pope John VI (701–704), under whose pontificate he wrested from the Romans Sora, Arpinum, and Arx (see p. 336).

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If Gisulf I's reign were put ten years earlier this synchronism would be destroyed. Finding, however, from the documents quoted by Troya that Theodarada was for a certain time regent during the minority of Gisulf II, he interpolates conjecturally a regency of Theodarada (of which Paulus may have been ignorant), and thus gets his chronology into shape again. This is, therefore, his system:—

Grimwald I mounted the Lombard throne	662
Romwald I, duke of Benevento	662–677
Grimwald II	677–680
Theodarada, regent	680–689
Gisulf I, reigning by himself	689–706
Romwald II	706–732
Gregorius	732–739
Gottschalk	739–742

Crivellucci also (Studi Storici, i. 82 and v. 1–7) contends for forty years instead of fifty as the duration of the reign of Arichis, and accordingly remodels the earlier Beneventan chronology thus:—

Zotto	571–591
Arichis	591–631
Aio	631–632
Radwald	632–637
Grimwald	637–662

This, of course, fits in with his other contention that Grimwald's reign as Duke of Beneventum (twenty-five years) is not to be reckoned concurrently with his son's. On the other hand, it does not fit in with the story of Prince Aio's visit to the court of Rothari (p. 79), since it brings the death both of Arichis and of Aio to a date anterior to the accession of Rothari (636), and he accordingly throws that story overboard. There is some MS. authority for the reading 'quadraginta' instead of 'quinquaginta' in the passage of Paulus (iv. 44) which speaks of the duration of Arichis's reign; but on the whole *both* Crivellucci's alterations, though plausible, seem to me too conjectural to make it desirable to adopt them.]

III. Duchy of Benevento.

Source:—PAULUS.

Guides:—

My chief guide in this section has been Cav. Almerico *Meomartini*, engineer and architect. Both his elaborate treatise 'I Monumenti e le opere d' arte della Città di Benevento' (1889–1894), and still more the personal explanations with which he favoured me in the course of a recent visit to the city, have been of the greatest possible service.

De Vita, Thesaurus Antiquitatum Beneventanarum (Rome, 1754 and 1769): *Isernia*, Istoria della Città di Benevento (1883): and *Hirsch*, Das Herzogthum Benevent (Leipzig, 1871), have also all been found helpful, especially the last-named work.

Situation of Benevento.

BENEVENTO stands in an amphitheatre of hills overlooking the two rivers Calore and Sabato, which meet near its western extremity, and flowing on together for about thirty miles, pour their waters into the channel which bears the name of the Voltorno[1], and so pass out by Capua to the sea.

Early history of the city.

The city of Beneventum, as we have already seen[2], laid claim to a high antiquity, professing to have been founded by Diomed, and to show the tusks of the monstrous boar, which in the days of his grandfather ravaged the territory of Calydon. Leaving these mythical glories on one side, we remark only that it was a city of the Samnites possibly at one time inhabited by the Etruscans of Campania, and that about the time of the Third Samnite War (B.C. 298–290) it passed under the dominion of Rome. In its neighbourhood (B.C. 275) Manius Curius won that

[1] My reason for using this expression is that it seems to me that both from the length of its course, and the volume of its waters, Calore has more right to the name of the united river than Voltorno.

[2] Vol. iv. p. 85.

decisive victory over Pyrrhus, which settled the question whether the Roman or the Greek was to be master in the Italian peninsula. Seven years after this (B.C. 268) the Romans, true to their constant policy of pinning down newly conquered territories by the establishment of miniature Roman republics among them, sent a colony to the city by the Calore; and on this occasion that city, which had previously been called Maleventum, had that name of evil omen, which it had accidentally received, changed into the more auspicious Beneventum, by which it has thenceforth been known in history [1]. The chief importance of Beneventum arose from its being situated on the great *Via Appia*, which led from Rome through Capua to Tarentum and Brundisium. Many a schoolboy has read the passage in the *Iter Brundusinum* in which Horace describes the officious zeal of the innkeeper at Beneventum, who, while blowing up his fire to roast a few lean thrushes for his illustrious guests, narrowly escaped burning down his own house [2]. Some portion of

Situation on the Via Appia.

[1] As was stated in vol. iv. p. 85, Procopius without hesitation ascribes the original name Maleventum to the fierce winds to which, from its elevated situation, it was exposed. And certainly to me, when passing the night there, and hearing the wind, which seemed dashing with all its fury and with stormy tears against the windows of my inn, the derivation seemed probable enough. It seems, however, to be now pretty well settled that the original Oscan name *Malies* was Grecised into *Malioenton* or *Maleventum* as Acragas was changed into Agrigentum, and that *ventus*, wind, does not really enter into its composition. [Another suggestion is that Maleventum was an Oscan word signifying 'the apple-orchard.']

[2] 'Tendimus hinc rectâ Beneventum ubi sedulus hospes
Pene arsit macros dum turdos versat in igni:
Nam vaga per veterem dilapso flamma culinam
Vulcano, summum properabat lambere tectum.'
(Sat. i. 5. 71–73.)

the bridge by which the Appian Way crossed the river Sabato is still standing, and is known by the somewhat mysterious name of *Il Ponte Lebbroso*[1].

Via Trajana.

But a century after Horace's Brundisian journey the greatest of the Roman Emperors stamped his name on Beneventum by a noble work of public utility, and by a stately monument. The old road to Brundisium, over which Horace travelled, had apparently been a mere mule-track where it crossed the Apennines[2], the road which was passable by wheeled carriages making a bend to the south, and circling round by Tarentum. In order to avoid this deviation, and to save a day in the through journey from Rome to the east, the Emperor made the new and splendid road across the mountains which thenceforward bore the name of Via Trajana.

[1] The Leprous Bridge. At the eastern end of this bridge are some massive stones, evidently of Roman workmanship. Many of them are pierced with 'luis-holes,' and it is suggested that from these the epithet leprous may have been derived. In the eleventh century a great part of the bridge was destroyed by a certain Rector, who, obtaining a concession from Prince Landulf VI, dammed up the stream, and erected a mill instead of the bridge.

[2] The authority for this statement is Strabo, vi. 3. 5: Δύο εἰσὶν ὁδοί, μία μὲν ἡμιονικὴ διὰ Πευκετίων καὶ Δαυνιτῶν καὶ Σαυνιτῶν μέχρι Βενεουέντου· ἐφ' ᾗ ὁδῷ 'Εγνατία πόλις εἶτα Κελία . . . καὶ Κανύσιον καὶ Κερδονία. ἡ δὲ διὰ Τάραντος μικρὸν ἐν ἀριστερᾷ· ὅσον δὲ μιᾶς ἡμέρας περίοδον κυκλεύσαντι ἡ 'Αππία λεγομένη ἁμαξήλατος μᾶλλον. It is incidentally confirmed by Horace's lines in the Iter Brundusinum:—

> 'Incipit ex illo montes Apulia notos
> Ostentare mihi quos torret Atabulus, et quos
> Nunquam erepsemus nisi nos vicina Trivici
> Villa recepisset . . . .
> Quatuor hinc rapimur viginti et millia *rhedis*.'

The emphatic mention of *rhedis* shows that the part of the journey immediately preceding had been performed on the backs of horses or mules.

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The Arch of Trajan.

To commemorate this great engineering work there was erected on the north side of the city in the year 114, a triumphal arch dedicated to 'Nerva Trajanus Optimus Augustus, Germanicus et Dacicus' by the Senate and people of Rome [1]. This noble work, which has hardly yet received from archaeologists the attention which it deserves [2], though it has suffered much at the hands of sportive barbarians, still casts a light upon the reign of the best of Roman Emperors, only less bright than that thrown by the celebrated column at Rome. It is like the same Emperor's Arch at Ancona, but not despoiled of its bas-reliefs; like the Arch of Constantine, but with its best works of art restored to their rightful owner; like the Arch of Titus save for the incidental interest which the latter derives from the fact that it records the calamity of the chosen people. Here, notwithstanding the irritating amputations effected by the mischievous hands of boys of many generations, we can still discover the representation of the chief scenes in the life of Trajan, his adoption by Nerva, his triumphal entry into Rome, his victory over the Dacian chief Decebalus. Here we can see him achieving some of his great peaceful triumphs, giving the 'congiarium'

[1] The inscription gives the date 'Tribunicia Potestate XVIII. Imperator VII. Cos. VI.' These dates correspond with the year mentioned above (A.D. 114), the year in which Trajan set out on his expedition to the East. This fact, and the absence of 'Parthicus' from the Emperor's titles, prove, I think, that Cav. Meomartini is right in refusing to find any reference in the sculptures on the Arch to the subjugation of Armenia, or other events of the Parthian War.

[2] I must except the very painstaking work of Monsignor Rossi (Naples, 1816), and the yet more elaborate and trustworthy work of Cav. Meomartini, to which I have already referred.

to the citizens of Rome, founding an asylum for orphans, and hailed by the Senate's enthusiastic acclamations as Optimus Princeps. And lastly, here we see the Roman sculptor's conception of an Imperial apotheosis: Trajan's sister Marciana welcomed into the assembly of the Immortals by Capitoline Jupiter, while Minerva and Ceres, Bacchus and Mercury, look on approvingly.

Strategical importance of Benevento.

It was not only the Via Appia and the Via Trajana that entered the gates of Beneventum. A branch of the other great southern road, the Via Latina, led off to it from the neighbourhood of Teanum, and another road skirting the northern side of Mons Tifernus connected it with Aesernia and the north-east end of Latium. The more we study the Roman itineraries the more are we impressed with the importance of Beneventum as a military position for the Lombards commanding the southern portion of Italy, watching as from a hostile outpost the movements of the duke of Neapolis, blocking the great highroad between Rome and Constantinople, and cutting off the Romans on the Adriatic from the Romans on the Tyrrhene Sea. Yet though doubtless strategic considerations weighed heaviest in the scale when the Lombard chiefs were choosing their southern capital, the character of the climate had also probably something to do with their selection. Children of the north, and denizens of the forest and the moorland, the Lombards (or at any rate some of the Lombards) shrank at first from fixing their homes in the sultry alluvial plains. The cooler air of the uplands, the near neighbourhood of the great Apennine chain, even the boisterous wind which blustered round the walls

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of Beneventum were all additional recommendations in the eyes of the first generation of invaders who had crossed the Alps with Alboin.

'The Samnite duchy.'

The duchy of Benevento is often spoken of by Paulus as the duchy of the Samnites[1]. At first the use of so archaic a term of geography strikes us as a piece of mere pedantry, and only provokes a smile; but when we look a little more closely into the matter our objection to it almost disappears. The attitude of the old Samnite mountaineers to the lowlanders of Campania, Greek, Etruscan, Oscan, or Roman, seems reproduced in the attitude of the Lombards of Benevento to the Imperialist duke of Neapolis, and the citizens of Salernum and Paestum. The pass of the Caudine Forks, the scene of Rome's greatest humiliation (whether it be placed at S. Agata dei Goti or at Arpaia), was within fifteen miles of Benevento. Though wars, proscriptions and the horrors of the Roman *latifundia* may have well nigh exterminated all the population in whose veins ran a drop of the old Samnite blood, the faithful memory of the mountaineer may have retained some trace of those great wars, which once made each pass of the Apennines memorable; and even as the Vandals of Carthage avenged the wrongs of their long vanished Punic predecessors, so possibly some faint tradition of the ungenerous treat-

[1] 'Defuncto Arichis... Aio, ejus filius, Samnitum ductor effectus est' (H. L. iv. 44). 'Aput Beneventum . . . mortuo Raduald duce . . . Grimuald, ejus germanus, dux effectus est gubernavitque ducatum Samnitium annis quinque et viginti' (H. L. iv. 46). 'Post quem [Romuald] ejus filius Grimualdus tribus annis Samnitum populos rexit' (H. L. vi. 2). 'Defuncto itaque Gisulfo Beneventano duce, Samnitum populum Romuald, ejus filius, regendum suscepit' (H. L. vi. 39).

ment of that noble Samnite general C. Pontius of Telesia by his Roman conquerors may have reached the ears of Arichis or Grimwald, and nerved them to more bitter battle against the Roman dwellers in the plain below.

Glance at the later history of Bene-vento.

I have briefly touched on the history of Beneventum before it became the seat of a Lombard duchy. The chief architectural monuments of Lombard domination belong to the reign of Arichis II, and are therefore outside the limits of this volume. But having followed the fortunes of the city so far, I may here record the fact that the Lombard duchy of Benevento lasted as an independent state till the latter part of the eleventh century, when the Norman conquest of Southern Italy, contemporaneous with the Norman conquest of England, extinguished its existence along with that of its old Greek or Imperial foes. The city of Benevento itself, in the troubles connected with the Norman invasion, became a part of the Papal territory (1053), and so remained down to our own times, though entirely surrounded by the dominions of the Neapolitan kings, and seventy miles distant from the frontier of the States of the Church. In the plain below the city walls, on the banks of the river Calore, was fought in 1266 that fatal battle in which Manfred, the last the Hohenstauffen princes, was defeated by Charles of Anjou, the first, but by no means the last, of the French lords of Southern Italy. From various causes Benevento lost much of the importance which had belonged to it at the beginning of the Middle Ages. During the Saracen invasions of the ninth and tenth centuries the old Roman roads fell into decay, and the great Via Appia and Via Trajana no longer brought traders to its gates. When Naples ceased to be under

a Byzantine ruler, it naturally took the place of Benevento as capital of Southern Italy. Later on the position of the city as a mere *enclave* of the Popes, surrounded by the territory of sometimes unfriendly princes, was doubtless unfavourable to its commercial growth. Thus it has come to pass that Benevento now possesses only a little over 20,000 inhabitants, and has played no important part in the later history of Italy. In fact the historian of the nineteenth century will perhaps find his chief reason for remembering it in the fact that in the short-lived Empire of Napoleon it gave the title of Prince to that strange and shifty intriguer, the Sisyphus of modern politics, Bishop or Citizen Talleyrand. It now, however, of course, forms part of the kingdom of Italy, and is capital of a province. With good roads, and becoming again by the construction of two or three converging railroads, somewhat of a focus of communication for Southern Italy, it is likely to be an important agricultural centre, and may perhaps regain by trade some of the importance which it lost by politics and war.

But we have wandered thirteen centuries away from our proper subject. We must return to the middle of the sixth century. The still existing city walls, to a large extent of Roman workmanship, the eight gates by which they are pierced, the arch immediately outside them, the remains of the baths and amphitheatre, the ruins of a vast warehouse outside the city, all help us to imagine its appearance as it lay in desolate grandeur for some twenty years or more after Totila had thrown down its walls, and before the "unspeakable Lombard" came marching along the Appian Way to ravage and to rule.

Foundation of the Duchy of Benevento. Duke Zotto, 571 (?)–591.

It was probably about the year 571, three years after Alboin's first entrance into Italy, that a Lombard chief named Zotto entered the city—an easy prey by reason of its ruined walls—and established himself there as its duke [1]. From this centre, in the course of his twenty years' reign, he extended his dominions far and wide over Southern Italy. Naples, which was no doubt the chief object of his desire, he never succeeded in capturing, though he besieged it in 581 [2]. But Aquinum, more than sixty miles north-west of Benevento (that little Volscian town which was one day to become famous as the birthplace of a great theologian and philosopher), was laid waste about the year 577 by the swords of barbarians [3], who were probably the soldiers of Zotto. And towards the end of Zotto's reign, about the year 590, the little town of Atina, somewhat north of Aquinum, and not far from Arpinum

[1] The date of the foundation of the duchy of Benevento has been the subject of much discussion, but, upon the whole, the notice in Paulus (H. L. iii. 33), 'Fuit autem primus Langobardorum dux in Benevento nomine Zotto, qui in eâ (*sic*) principatus est per curricula viginti annorum,' which gives us 571 for the beginning of Zotto's reign (it ended in 591), seems to agree sufficiently well with the course of the Lombard invasion. The year 569, for which Di Meo contends, seems decidedly too early. (See Ferdinand Hirsch, Das Herzogthum Benevent, p. 3.)

[2] So says a fragment, not perhaps of very high authority, quoted by Troya (iv. 1. 30), 'Eo jubente ego Petrus Notarius S. Ecclesiae Neapolitanae, emendavi sub die Iduum Decembrium Imperatore Domino nostro Tiberio Constantino Agusto (*sic*) anno septimo post consulatum ejus Agusti (*sic*) anno tertio Indictione quintadecimâ *obsidentibus Langobardis Neapolitanam civitatem* . . . codicem.' These dates are equivalent to December 13, 581.

[3] 'Quo (Iovino) adhuc superstite, ita cuncti inhabitatores civitatis illius et barbarorum gladiis et pestilentiae immanitate vastati sunt, ut post mortem illius nec quis episcopus fieret, nec quibus fieret inveniri potuisset' (Greg. Dialog. iii. 8).

(the birthplace of Marius and Cicero), was entered by the ruthless Lombards, and its bishop, Felix, after an episcopate of thirty years, 'died as a martyr under the hands of the Beneventan duke, the city and the great church being also destroyed[1]' at the same time.

Destruction of the monastery on Monte Cassino.

It was apparently about the same time, or perhaps a year earlier (589), that the great convent, which the saintly Benedict had reared sixty years before on Monte Cassino, was stormed in the night by Zotto's savage followers. They laid hands on everything valuable that they could find in that abode of willing poverty, probably not much besides the vessels of divine service, and perhaps some ornaments of the founder's tomb. Not one of the monks, however, was taken, and thus was fulfilled the prophecy of their father Benedict, who long before, predicting the coming calamity, had said, 'With difficulty have I obtained of the Lord that from this place the persons alone should be granted me[2].' The fugitive monks escaped to Rome, carrying with them the original manuscript of the Benedictine Rule, and some other writings; the regulation weight for the bread, and measure for the wine, and such scanty bed furniture as they could save from the general ruin[3].

[1] Chronicon Atinense in Anecdota Ughelliana, quoted by Hirsch (p. 5).

[2] 'Qui universa diripientes, nec unum ex monachis tenere potuerunt, ut prophetia venerabilis Benedicti patris quam longe ante praeviderat impleretur quâ dixit, "Vix apud Deum optinere potui, ut ex hoc loco mihi animae cederentur."' Perhaps an allusion to Gen. xiv. 21.

[3] Paulus (H. L. iv. 17) assigns the destruction of Monte Cassino with a vague 'circa haec tempora' to the year 601. But it is generally agreed that this is a mistake, and that the event occurred at least eleven years earlier. (See Hirsch, p. 4, and Jacobi, Die Quellen des Lombardengeschichte des Paulus Diaconus, p. 26.)

It was under the fourth successor of St. Benedict that this ruin of the great convent took place[1], and notwithstanding all the softened conditions of life in Italy during the generations that were to follow, it was 130 years before the *Coenobium* of Monte Cassino rose again from its ruins.

Death of Duke Zotto, 591.

In the year 591 Duke Zotto died, having pushed the terror of his ravages, as we can see from the early letters of Pope Gregory, far into Apulia, Lucania and Calabria[2]. In all this career of conquest he had been apparently acting on his own responsibility, with very little regard to the central power, such as it was, in Northern Italy; and indeed, during half of his reign there 'had been no king over Israel,' only that loose confederacy of dukes of which he must have been nearly, if not quite, the most powerful member. But either Zotto left none of his own family to succeed him, or the obvious danger to the Lombard state, involved in the independence of Benevento, stirred up the new king, Agilulf, to a vigorous assertion of the right which was undoubtedly his in theory, to nominate Zotto's successor. His choice fell on Arichis[3], who was a kinsman of Gisulf, duke of Friuli, and who had, according to Paulus, acted for some time as instructor of his younger sons in all manly exercises[4].

[1] The succession, as given by Paulus, was Benedict, Constantine, Simplicius, Vitalis, Bonitus (under whom the destruction took place).

[2] Canosa in Apulia, Taurianum in Bruttii, Velia, Buxentum and Blanda in Lucania were all more or less deserted by the citizens or the clergy (Greg. Epp. i. 44, 53, 41; ii. 16, 17, 43). [It should be noticed that it was soon after this time (i.e. about the end of the seventh century) that the name Calabria was transferred from the east to the west, from the heel to the toe of Italy. (See Diehl, p. 76).]

[3] Called Arogis by Pope Gregory.

[4] 'Mortuo igitur Zottone Beneventanorum duce Arigis in loco

The reign of Arichis I lasted fifty years, from 591 to 641, and was an important period in the history of the

ipsius a rege Agilulfo missus successit, qui ortus in Forojulii fuerat et Gisulfi Forojulani ducis filios educarat eidemque Gisulfo consanguineus erat' (Paulus, H. L. iv. 18). This statement, coupled with the already entangled family history of Gisulf of Friuli, has caused no little perplexity to the commentators. Arichis, as we shall see, died in the year 641, at an advanced age, and can hardly have been much more than thirty at his accession to the duchy of Benevento. But how could Grimwald, son of Gisulf, be one of his pupils before 591,—that Grimwald who was still a little boy who had not learned to ride at the time of the Avar invasion, which is generally dated about 610? As Lupi remarks, it was not the business of Lombard chiefs to tend babes in the nursery, and not even the earliest date that can possibly be assigned to the Avar invasion (say even 603), would allow Grimwald to be more than a baby when Arichis was in the palace of Forojulii. It is clear, therefore, that we must abandon the idea of Grimwald at any rate having been trained by Arichis. Even as to his elder brothers Taso and Cacco the matter is difficult enough, for the eldest of these was young enough to be adopted as 'filius per arma' by the Exarch after his father's death (say about 612). How can his birth, therefore, be placed earlier than about 585, six years before Arichis becomes duke of Benevento? Crivellucci, whose analysis of the Forojulian pedigree is otherwise most satisfactory, seems to me only to cut the knot—and not in a satisfactory manner—by bringing the Avar invasion forward to 603. So difficult is the problem that one is inclined, with Di Meo and Hirsch, to cut the knot in another fashion by saying that Paulus is altogether wrong, and that Arichis had nothing to do with the education of the sons of any duke of Friuli. Only as we have seen reason to think that there is a missing link in the Forojulian pedigree, and that Paulus himself may have made some confusion between Gisulf I and Gisulf II, I would suggest that it may have been the children of an earlier generation whom Arichis instructed. Gisulf I may have had sons, none of whom succeeded him in the duchy, or (which is, I suspect, the true solution) it was really Duke *Grasulf I* whose sons Arichis trained up; that is to say, Gisulf II and Grasulf II. On this hypothesis, when Arichis in middle life received the two young princes Radwald and Grimwald at his court, it was not his old pupils

new duchy. I have called it a reign advisedly, for whatever may have been the theory of his relation to the Lombard king ruling at Pavia, it is clear that in practice Arichis acted as an independent sovereign. We have seen him, in a previous chapter, making war on his own account with Naples and Rome: nay more, we have seen that King Agilulf himself could not conclude a peace with the Empire till Arichis was graciously pleased to come in and give his assent to the treaty. It is suggested[1] that if Agilulf, on Zotto's death, had taken proper measures for ensuring the dependence of the duchy of Benevento on the central monarchy, he might still have accomplished that result; but whether this be so or no, it is clear that the long and successful reign of a great warrior like Arichis, a reign, too, which coincided with many weak and short reigns of his nominal superiors at Pavia, established the virtual independence of the southern duchy. There was apparently no royal domain reserved in all that long reach of territory; there were no officers acting in the king's name, or appointed by him; and when at last the reign of Arichis came to an end his successor was chosen without even a pretence of consulting the Lombard sovereign.

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Arichis, duke of Benevento, 591-641.

It was during this reign that the duchy of Benevento received that geographical extension which, in the main, it kept for centuries. Roughly speaking, it included the old Italian provinces of Samnium, Apulia, Campania, Lucania, and Bruttii, except such parts of the coast—and they were considerable, and included all

Geographical extent of the Duchy.

themselves, but the sons of one of them, that he welcomed to Benevento.

[1] **By Hirsch, p. 18.**

the best harbours—as were still held by the Empire. The capital and heart of the duchy were in the province of Samnium, and 'the people of the Samnites' is, as we have seen, the phrase generally used by Paulus when he is speaking of the Lombards of Benevento. It is certainly with a strange feeling of the return of some great historic cycle that we find Rome engaged in a breathless struggle for her very existence with Carthage in the fifth century after Christ, and with 'the Samnites' in the sixth.

The limits of the Samnite duchy cannot now be very exactly defined. On the north-west the frontier must have run for some distance side by side with that of the *Ducatus Romae* along the river Liris, and under the Volscian hills. In the Sabine territory and Picenum, the Fucine lake and the river Pescara [1] probably formed the boundary with the other great Lombard duchy of Central Italy, that of Spoleto. The easternmost peninsula (sometimes called the heel of Italy), which lies between the gulf of Taranto and the Adriatic, and which includes Taranto itself, Otranto and Brindisi, was still held by the Empire at the death of Arichis. So did the extreme south, the toe of Italy, forming a large part of the ancient province of Bruttii. Consentiae (Cosenza) [2] seems here to have been close to the border line between the Imperial and the Lombard dominions. Rossano was still Imperial, and a line

[1] Hirsch (p. 9, quoting Erchempert in Monumenta Sanctorum, iii. p. 243) says that Chieti belonged at this time to the duchy of Benevento, and was not detached therefrom and joined to that of Spoleto till the time of Charles the Great. I presume that the river Sangro would then become the boundary of the two duchies.

[2] There is some doubt about Cosenza. Hirsch (p. 9. n. 5) makes it Lombard; Diehl (p. 77) Imperial.

drawn across the peninsula from that city to Amantia formed the frontier between 'Romania and Varbaricum.' The patient monks of Cassiodorus therefore, in their convent at Squillace, could study theology and grammar, and transcribe the treatises of their founder, undisturbed under the aegis of the Empire. Further north all the lovely bay of Naples, with its fine harbours and flourishing cities, owned the sway of the Roman Augustus. It was not till towards the end of the reign of Arichis (probably about 640) that the city of Salerno passed, apparently by peaceful means, into the keeping of the Lombards[1].

Relations of the Dukes of Benevento with the Popes.

The few facts which illustrate the internal history of the duchy, and especially those which throw any light on the condition of the conquered Roman inhabitants, will come under our notice in later chapters. It will be enough to say here that all the symptoms would seem to show that the oppression was harder, the robbery of cities and churches more ruthless, the general relation of the two nations more unnatural, in the duchy of Benevento (and probably in that of Spoleto also) than in the northern kingdom. No Theudelinda was at work here to help forward the blessed work of amalgamation between the races. It is true that in the spring of 599 we find Pope Gregory writing to Arichis, and asking for help in the felling of timber in the forests of Bruttii for the repairs of the churches of St. Peter and St. Paul[2]. As before

[1] See Hirsch, p. 8. The surrender of Salerno must have taken place after 625, for a letter is addressed by Pope Honorius (who ruled from 625 to 638) to Anatolius, Magister Militum at that place. The city was not destroyed, and kept its bishop, Gaudiosus. All this looks like a peaceful surrender.

[2] See vol. v. p. 428.

said, we must not conclude that because the Pope in this letter addresses 'Arogis' as his son, he had joined the Catholic Church. It is true that Gregory would hardly have used this mode of address to a notorious idolater, perhaps hardly to a bitter Arian persecutor; but these Lombard conquerors were not as a rule sufficiently interested in theology to be persecutors. They were simply rough, sensual, boorish children of the forest, men who, if there were any object to be gained, would address the great bishop of Rome as 'Father,' and would be glad to be addressed by him as 'Glorious Son,' but would not surrender an ounce of church plate, nor recall a single bishop from the exile into which their suspicions had driven him, for all the loving exhortations of the Holy Father.

Religious condition of Benevento.

Thus it came to pass that all through the long reign of Arichis, the Catholics of his duchy were in a lamentable state of spiritual destitution. The unusually large number of episcopal cities which were once to be found in Southern Italy seem to have remained widowed of their bishops, and the convents, like Monte Cassino itself, lay, probably for the greater part of the seventh century, in ruins. Even Benevento, the capital of the duchy, had perhaps no resident bishop till shortly before St. Barbatus came to it (in 663) to restore the ruins of many generations. The life of this saint (from which some quotations will be made in a note to a later chapter) draws a lamentable picture of the foolish and degrading superstitions by which the people of Benevento, though calling themselves baptized Christians, were still held in bondage. Salerno seems to be the only city in this region (except those that remained in the possession of the Empire)

which can show an absolutely unbroken line of bishops during all this troubled time; and this exceptional prosperity is probably accounted for by the fact of its peaceful surrender to the conquerors [1].

Radwald and Grimwald arrive at Benevento.

Arichis had probably been reigning some twenty or five-and-twenty years when (as was told in the last section) his young kinsmen, Radwald and Grimwald, having left Friuli in disdain, landed from their little bark [2], and made their way to the court of Benevento. They were received by Arichis with the utmost cordiality, and brought up as his own sons. He had indeed one son of his own named Aio, but over him there hung a mystery which clouded the last years of the life of Arichis. When the great King Rothari took his seat on the Lombard throne, Arichis ordered his son to repair to Pavia, probably with a message of dutiful submission from one who, though in fact king of all Southern Italy, yet owned the king of the Lombards as his lord [3]. On his way, the young prince tarried at Ravenna. Whether he ever completed his journey to Pavia we are not informed, but when he returned to

Aio, son of Arichis, at Ravenna, 636.

[1] In this paragraph I follow Hirsch, who seems to have enquired carefully into the ecclesiastical history of the duchy. A certain Barbarus, bishop of that city, is addressed by Pope Gregory (Epp. iv. 41 and xiii. 13), but the tone of both letters, and the commissions entrusted to him, seem clearly to indicate (as Hirsch points out) that he was then living in Sicily, an exile from his see. The chief sees which can be shown to have been still existing in the first half of the seventh century are Paestum, Buxentum, Blanda, Capua, Siponto, and perhaps Lesina (Hirsch, p. 16. n. 2). [But Crivellucci (S. S. v. p. 127 and iv. p. 406) thinks that both Hirsch and I exaggerate the spiritual ruin wrought by the Lombards and found too much on the argument *a silentio*.]

[2] *Navicula*.

[3] We can only speak conjecturally as to the degree of submission to Rothari which Aio's mission may have expressed.

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Benevento all men noted a strange alteration in his behaviour. Dark rumours were spread abroad that by the malice of the Romans some maddening potion had been brewed for him at Ravenna. Perhaps we may conjecture that the maddening potion was only that Circean cup of enchantment which the dissolute cities of the Romans have so often held out to the easily-tempted sons of the Teutons; but, whatever the cause, Aio from that time forth was never again in full mental health.

Aio succeeds his father, 641.

Seeing this fatal change, Arichis, when he felt his last hour approaching, commended Radwald and Grimwald to the Lombards as his own sons, and advised that one of them rather than Aio should be his successor. The advice, however, was disregarded, and on the death of Arichis, the brain-sick Aio became 'leader of the Samnites.' Neither chief nor people seem to have taken any heed of the right which the king of the Lombards must have in theory possessed to name the new duke of Benevento.

Sclavonian invasion, 642.

We are told that Radwald and Grimwald, not murmuring at their exclusion from the throne, to which the will of Arichis had seemed to open the way, obeyed Aio in all things as their elder brother and lord. His reign, however, was not to be of long duration. A year and five months after his accession, a cloud of Sclavonic invaders descended on Apulia. They came by way of the sea, with a multitude of ships, and landed at Sipontum; a city which has now disappeared from the face of the earth, but which stood under the peninsular mount of Garganus, near to the spot where, six centuries later, the last of the Hohenstauffens built out of its ruins his capital of Manfredonia. Here the

Death of Aio.

Sclavonians pitched their camp, which they fortified with pits dug all round it, and covered probably with brushwood. Thither came Aio with an army, but unaccompanied by his two friends. Riding rashly forward, he fell into one of the hidden pits, and was killed, with many of his followers, by the on-rushing Sclavonians. The news was brought to Radwald, who, in order to avenge his patron's death, dealt wilily. He had not forgotten the Sclavonic speech which he had learned long ago in the mountains of Friuli, and, approaching the camp of the invaders, he spoke to them friendly words in their own tongue. Having thus lulled their suspicions to sleep, and made them less eager for the battle, he fell upon them at unawares, and wrought great slaughter in their ranks. Thus was Aio's death avenged, and the remnant of the Sclavonians returned in haste to their own land. Radwald, who now became without dispute duke of Benevento, reigned for five years only, and at his death was succeeded by his brother Grimwald. The only event which is recorded of the latter's reign as mere duke of Benevento is that 'the Greeks' (as the Romans of the East are now beginning to be called) came to plunder the sanctuary of the Archangel Michael on Mount Garganus; a deed which recalls the ignoble raid upon Apulia made by the ships of Anastasius in the days of Theodoric the Ostrogoth [1]. Grimwald, however, fell upon the sacrilegious invaders with his army, and destroyed them with a great destruction.

Radwald, duke, 642–647.

Grimwald, duke, 647–662.

At this point we rejoin for a time the main stream of Lombard history: for Grimwald, who is certainly its greatest name in the seventh century, became, as

[1] See vol. iii. p. 442.

we shall see, in the latter years of his life, king of all the Lombards. Thus the history of the lad who so marvellously escaped from his Avar captors binds together the two duchies of Friuli and Benevento, and the kingdom of Pavia. The eventful story of that last stage of the life of Grimwald must be reserved for a future chapter.

IV. The Duchy of Spoleto.

Source:—PAULUS.

Guides:—

'I Duchi di Spoleto,' by Achille *Sansi*, and articles by Prof. *Sordini* of Florence, a native of Spoleto.

Geographical importance of Spoleto.

THE geographical importance of the duchy of Spoleto has been already brought before the reader's notice [1]. We have seen that it represented that struggle for the possession of the Flaminian Way which, since Rome and Ravenna were the two great foci of Imperial dominion in Italy, must have been always going on with more or less vigour for nearly two centuries.

It is true that the great Via Flaminia itself went from Narnia to Mevania [2], and so passed about twenty miles west of Spoletium; but the road which branched off from Narnia to the east, and led through Interamna, Spoletium and Fulginium northward, and so on through Petra Pertusa to Ariminum [3], was also a great highway, and we have seen reason in the course of the previous history [4] to believe that it was looked upon, at any rate so long as the tunnel of the Petra Pertusa was open, as *the* great highway between Rome and Ravenna.

Evidently the object of the Lombard dukes who placed their capital at Spoleto was to keep their hands on the throttle-valve of the Empire, and they probably

[1] Vol. v. chapter viii.

[2] Narni to Bevagna. I do not think the letters of Gregory, i. 81 and iii. 64, make it probable that at any rate up to 593 Mevania had been captured by the Lombards.

[3] Antonine Itinerary, pp. 125–126.

[4] See vol. iv. chap. x.

DUKES OF SPOLETIUM

To the downfall of the Lombard kingdom.

(Names of the dukes in capitals: kings of Italy in Italic capitals.)

FARWALD I,
570 (?)-591 (?)

- A son unnamed.
  - N
    - WACHILAP (associated with his nephew Farwald II in the government of the duchy).
    - TRANSAMUND I, m. a daughter of *GRIMWALD*, king of the Lombards, 663 (?)-703 (?)
      - FARWALD II, 703 (?)-724 (?)
        - TRANSAMUND II, 724 (?)-739 (?) and 740-742.
- THEUDELAP, 601-653 (?).

ARIULF, 591 (?)-601.

ATTO, 653 (?)-663 (?).

HILDERIC, 739-740.

ASPRAND, nephew of *LIUTPRAND*, 742-745.

LUPUS [1], 745-751.

UNULF (?).

ALBOIN, 757-760 (?).

GISULF [1], 759-762.

THEODICIUS, 763-774.

[[1] See Neues Archiv, iii. 287.]

always nourished the hope of being able to close all the three roads across the Apennines[1] which lay in their immediate neighbourhood, and so to conquer Rome.

Position of Spoleto.

Spoleto itself, a city rich in historical associations of widely-parted centuries, and standing in the midst of one of the loveliest landscapes of Italy, was well worthy of the high place which it held in the early Middle Ages, and deserves far more careful study than it has yet received either from the artist or the historian. It stands upon a high hill, half encircled by the little stream of the Tessino. Faintly seen on the northern horizon are the long terraces of Assisi and the high rock-citadel of Perugia. Round it on all sides rise the beautiful hills of Umbria, with all that charm of outline and of colour which assuredly helped to train the eyes of Raffaele and Perugino to discern the Beautiful. The traveller winds his way under the city walls, whose Cyclopean masonry tells of races that fought and built in the peninsula while the hills of Rome were still a sheep-walk. He climbs under many an intersecting archway up the steep lanes which lead him to the heart of the city. Bright-eyed little children and gaily-kerchiefed women come out to look at the *forestiere*: a little tired, he reaches the top, and suddenly, between two picturesque street-lines, he sees a bit of the beautiful amphitheatre of plain, a bit of the deep purple of the mountains of Umbria.

Early history of Spoleto.

Yet, as so often in Italy, the visitor to Spoleto finds the historic interest even more powerful to attract him than the beauty of landscape with which Nature woos his regards. Here, near the bottom of the city wall, stands an arch bearing the name of the Porta Fuga,

[1] By Perugia, Bevagna, and Foligno.

and commemorating the memorable repulse of Hannibal on that day when, flushed with his victory by Lake Trasymene, he marched up to its walls, expecting an immediate surrender; but, beaten back with heavy loss, began to understand, from the resistance of that one brave colony, how great a task he had taken in hand when he set himself to war down Rome [1].

We mount higher to the crest of the hill, and find ourselves under an arch erected probably twenty-one years after the birth of Christ, bearing an inscription on its front, which states that it is dedicated to Germanicus and Drusus, the adopted and the real sons of Tiberius. The palace of the Municipality, which stands on the highest ground of the city, is erected over the remains of a spacious Roman house which is believed, apparently on sufficient evidence, to have belonged to the mother of Vespasian.

The citadel of La Rocca.

We leave the city by one of its eastern gateways, and we find ourselves under the splendid mass of the citadel (fitly called by the townspeople La Rocca), which, standing on its great promontory of cliff, towers above us on our left. Round the base of the cliff far below us circles the tiny torrent of the Tessino. But another, an artificial river, calls away our atten-

[1] 'Hannibal recto itinere per Umbriam usque ad Spoletium venit. Inde quum perpopulato agro urbem oppugnare adortus esset cum magnâ caede suorum repulsus conjectans ex unius coloniae haud nimis prospere tentatae viribus quanta moles Romanae urbis esset in agrum Picenum avertit iter' (Livy, xxii. 9). It should be mentioned that there is some doubt as to the derivation of Porta Fuga given above. Sansi thinks that its real name was Porta Furia, and that the gate, though undoubtedly Roman, is at any rate in its present form of a date considerably later than the Punic wars.

The aqueduct.

tion from the natural streamlet. For before us rise the ten lofty and narrow arches of a noble aqueduct, which, at a height of nearly 300 feet, spans the valley and bridges the stream, carrying the pure water from the mountains into the heart of the city. It is called the Ponte delle Torri, and it carries a roadway at a little lower level than the channel of the aqueduct.

Both these two splendid structures speak to us of the Teutonic invaders of Italy. The citadel is undoubtedly on the site of the fortress raised by Theodoric, though there may be none of the actual work of the great Ostrogoth in the present building, which was reared in the fourteenth century by Cardinal Albornoz. A very strong local tradition connects the aqueduct with Theudelap, who, as we shall see, was the Lombard duke of Spoleto during the greater part of the seventh century. The pointed character of the arches makes it scarcely possible that they, at least, are of so early a period, and probably much of the grand structure which we now behold dates from the thirteenth century or even later; but cautious and accurate enquirers are inclined to admit that there is some value in the tradition which I have mentioned, and that at least in the great stone piers which support the brick arches, we may see the actual work of the subjects of Duke Theudelap[1].

This is not the place for anything like a complete

[1] This, I think, represents the opinion of Prof. Sordini as communicated to me verbally in 1894. He does not think that the Lombard dukes greatly enlarged the circuit of Spoletium, but holds that, with the exception of some churches, and perhaps the aqueduct, they left the city very much as they took it over at the time of the conquest.

enumeration of the monuments of mediaeval antiquity at Spoleto; and I must leave undescribed the Doric columns of some Pagan temple which now form part of the church of the Crucified One, the joyously grotesque bas-reliefs on the exterior of S. Pietro, and the gigantic stones—surely of pre-Roman workmanship—which form the base of the tower of S. Gregorio. But as illustrating what was said above as to the wealth of various memories that is stored up in these Italian cities, I may observe that the cathedral—not in itself extremely interesting, having suffered much transformation at the hands of Renaissance architects—is connected with the tragic story of Fra Filippo Lippi. His half-faded frescoes telling the story of the Virgin, line the choir of the church. His sepulchral monument, erected by Lorenzo dei Medici with an inscription in Politian's finest Latinity, is to be seen in a chapel on the north side of the choir. In this city it was that the artist monk won the love of a nobly-born lady, Lucrezia Buti, and here it was—so men said—that her indignant relatives mixed for him the fatal cup which ended his stormy life.

Other objects of interest in Spoleto.

Modern History.

If we descend to our own times we learn that in 1860 the fortress of Theodoric and Albornoz was one of the last positions that held out for the Pope-King when all Italy was rallying round the standard of Victor Emmanuel. The garrison, chiefly composed of Irishmen, bravely resisted the besiegers, but was at last forced to capitulate by a cannonade from the surrounding heights.

At present Spoleto, which contains about 11,000 inhabitants, has suffered some diminution of its importance, owing to having lost its position as *capo luogo*

of the province, and this has led to a decay of interest in its antiquities. But, as I before said, there are probably few cities in Italy which would better reward the spade of the excavator or the brush of the artist.

Isaac the hermit.

At the time when the savage hordes of the Lombards swarmed through the gateways of Spoleto, the minds of the citizens were still filled with the memory of a certain holy hermit named Isaac, who many years before came from Syria, and suddenly appearing in Spoleto, craved from the guardians of the great church permission to remain there as long as he might desire, in order to offer up his prayers. So small a request was readily granted; but when the holy man had remained standing for three days and nights in the attitude of prayer, one of the attendants, deeming him an impostor, slapped him on the cheek, and ordered him out of the church. At once a foul spirit seized the too hasty custodian, and caused him to fall prostrate at the feet of the unknown hermit, crying out, 'Isaac is casting me forth.' The holy man—whose name the unclean spirit alone knew—delivered his assailant from the evil one, and at once the news of his spiritual victory spread through the city. Men and women, noble and ignoble, flocked into the church to behold him, besought him to take up his abode with them, offered him houses and lands for the erection of a monastery. But Isaac, who feared peril to his poverty as the miser fears peril to his wealth, refused all their offers, saying continually, 'The monk who seeks for possessions in this world is no monk,' and built himself a humble cell in a desert place not far from the city. Here he abode many years, performing many wonderful works, the recital of which may be read in the Dia-

logues of Gregory the Great [1], from which the preceding narrative is taken. As we are told that he continued almost to the very end of the Gothic domination, the fame of his sanctity must still have been fresh when Spoletium was severed from the Empire, and when her churches were profaned by the tread of the 'unspeakable Lombard.'

Boundaries of the duchy.

Such then was the city which became the capital of the Lombard domination in Central Italy. Its dukes ruled over a territory bounded by the Adriatic on the east, and by the Tiber valley (or the hills which enclosed it) on the west. On the south, a line drawn across from Subiaco by the Fucine Lake, and along the river Pescara, may roughly represent the boundary between Spoleto and Benevento. On the north the little river Musone was perhaps the boundary which separated the Spoletine dukes from hostile Ancona, while the Imperial garrisons along the Flaminian Way probably disputed with varying success the possession of all the territory northward of Tadino. Thus, stated in terms of classical geography, the dukes of Spoleto ruled the southern wedge of Umbria, the greater part of Picenum, and almost the whole of the territory which upon the maps is usually allotted to the Sabines.

Duke Farwald, 571 (?)-591 (?).

The first duke of Spoleto was *Farwald*, who, if it be true that Zotto was ruling in Beneventum in 571, had probably established himself at least as early in his more northern capital.

Capture of Classis.

The chief exploit of Farwald's reign was the capture of Classis, which occurred probably about 579 or 580 [2]

[1] iii. 14.

[2] The indications of time in Paulus (H. L. iii. 13) are as usual

while the inefficient Longinus was still the Imperial governor of Italy. A great achievement truly this must have been, and one which, had the Lombards possessed the same fertility of resource which was shown by their Vandal kinsfolk, might have turned Classis into a second Carthage, and given them the empire of the Mediterranean. As it was, it seems difficult to suppose that they ever seriously interrupted the communications even of Ravenna, and Constantinople; for Exarchs came and went, and letters seem to have been freely interchanged between the Emperor and his representatives. It was therefore probably only the town, not the whole even of the harbour of Classis, of which the Lombards kept possession; but even so, it must have been a galling thing for the 'Romans' of Ravenna to feel that the invaders had established themselves in that place, which with Caesarea was joined by one continuous line of houses to their own city, that the domes and towers from which in its pictured semblance on the walls of S. Apollinare, the procession of Virgin martyrs set forth to adore the Holy Child [1] were now in the hands of heretics and idolaters.

Classis retaken by Droctulf.

Classis seems to have been held by the Lombards of Spoleto for eight or nine years, and was finally reconquered for the Empire (perhaps in the year 588), by that Romanized Teuton Droctulf, on whose tomb, as we have seen, this military operation was recorded as one of the proudest of his triumphs [2].

vague, but he connects the capture of Classis with the mission of Gregory as *apocrisiarius* to Constantinople, which we have seen reason to date about 579.

[1] See vol. iii. p. 336.

[2] 'Inde etiam retinet dum Classem fraude Faroaldus, Vindicet

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Rome threatened.

Against the older and more venerable capital by the Tiber, it is possible that Farwald also urged his savage soldiery. When we hear that before the consecration of Pope Benedict I, there was an interval of more than ten months and three days[1], during which the Papal throne remained unoccupied; we may reasonably conjecture that Lombard pressure, either from the side of Tuscany, or from that of Spoleto, was the cause of this long delay. At the next vacancy, when, after an interval of nearly four months, Pelagius II was chosen without the leave of the Emperor, we are expressly told that this was done because Rome was being besieged by the Lombards, and they were making great ravages in Italy[2]. And this besieger of Rome is more likely to have been Farwald than any other of the Lombard dukes.

July 13, 574–June 2, 575.

July 30 to Nov. 26, 579.

Duke Ariulf, 591–601.

Farwald died about the year 591[3], possibly of the pestilence which was then ravaging Italy. He was succeeded by *Ariulf*, apparently not a relation; certainly not a son. Possibly in this case the theoretical right of the king to nominate all the dukes was successfully claimed by the new sovereign Agilulf.

Thanks to the letters of Pope Gregory, this duke of

ut classem classibus arma parat.' (See vol. v. p. 246.) A. Sansi (p. 14) puts the recapture of Classis about 584–5: Weise (p. 47) in 588. We have really only conjecture for either date.

[1] 'Et cessavit episcopatus menses x dies iii' (*sic*) (Lib. Pont.). The interval was really ten months and twenty days.

[2] 'Hic ordinatur absque jussione Principis, eo quod Langobardi obsiderent civitatem Romanam et multa vastatio ab illis in Italia fieret' (Liber Pontificalis: Vita Pelagii II).

[3] Not before 590, because he was for a time contemporary with the papacy of Gregory I (Life of S. Cetheus ap. Bollandist. 13 June). Not long after 591, for in July 592, Ariulf is duke of Spoleto (Greg. Ep. ii. 29).

Spoleto is to us something more than a mere name. We saw him, in the summer of 592, addressing that boastful letter to Gregory about the promised surrender of Suana which caused the Pope such strange searchings of heart, whether he should advise the Suanese citizens to keep or to break their promise. Soon after, negociations for peace followed with Gregory himself; but Ariulf still kept up his somewhat swaggering tone, and insisted that the gratuities for his allies (or subordinates), Auctarit and Nordulf, should be handed over to him before he would say one word about peace.

While Ariulf appears to make war and peace with sublime independence of his nominal over-lord at Pavia, he throughout co-operates loyally with his brother duke Arichis of Benevento, and whenever the latter attacks Naples he helps him to the utmost of his power by a demonstration against Rome, or against one of the outposts on the Flaminian Way.

But Ariulf's campaign of 592, including, as it probably did, a virtual siege of Rome, ended in a partial peace concluded by Gregory with the Lombard duke; and this concession on Ariulf's part seems to have been due to the feelings of veneration aroused in his heart by a personal interview with the pontiff. And though the peace itself was disavowed at Ravenna, and exposed the Pope to bitter reproaches at Constantinople for his 'fatuity' in listening to the promises of such an one as Ariulf, the good understanding thus established between Pope and Duke seems never to have been entirely destroyed; and in a dangerous sickness the Lombard chief asked for and obtained the prayers of Gregory for his recovery.

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599.

In the final negociations, however, which at last resulted in the great peace of 599, the Pope complained with some bitterness of the hindrances which came from the side of Ariulf. To Gregory the duke of Spoleto's stipulations that there should be no act of violence committed against himself, and no movement against the army of Arichis, seemed altogether unfair and deceitful [1], and the fact that a certain Warnilfrida, by whose counsel Ariulf was ruled in all things, refused to swear to the peace, confirmed his suspicions. It is, of course, impossible for us to apportion the precise share of praise and blame due to each of the parties to these obscure negociations; and, as I before remarked [2], the change of Gregory's tone with regard to Ariulf between 592 and 599 is an important feature in the case. But, on the other hand, it may fairly be urged on Ariulf's behalf, (1) that his previous dealings with the Imperial court had taught him caution, since he had seen a treaty which had been concluded by him with Rome torn up at Ravenna, and followed by an aggressive movement on the part of the Exarch; and (2) that his stipulations on behalf of Arichis showed his steadfast truth to the duke of Benevento, and his determination not to make himself safe by the sacrifice of that faithful ally.

Ariulf at Camerinum.

The only other incident in the life of Ariulf that has been recorded is that curious story which has been already extracted from the pages of Paulus [3], and which seems like a barbaric version of the share taken by the Great Twin Brethren in the battle of the Lake Regillus. It was when he was warring against

[1] 'Omnino iniquum et dolosum' (Greg. Ep. ix. 98).

[2] Vol. v. p. 418. [3] H. L. iv. 16 (see vol. v. p. 365).

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Appearance of St. Sabinus.

Camerinum that Ariulf saw a champion, unseen by others, fighting bravely by his side, and it was soon after the battle that he identified his ghostly defender with St. Sabinus, whose figure he saw depicted on the walls of his basilica. Paulus assigns no date to this story, which is connected with his obituary notice of Ariulf. Seeing how near Camerinum is to Spoletium, we should feel inclined to put the campaign against the former city early in the victorious reign of Ariulf: indeed, it is difficult to understand why his predecessor should have penetrated as far north as Classis, leaving such a stronghold as Camerinum in his immediate neighbourhood untaken.

Ariulf's reign, though a memorable, was not a long one. He died in 601, about ten years after his accession; and on his death a contest arose between the two sons of his predecessor Farwald, which should succeed to the vacant dignity. The dispute was decided by the sword—we have again to note how little voice King Agilulf seems to have had in regulating the succession to these great duchies—and Theudelap, the victor in the fight, was crowned duke on the field of battle[1]. We know neither the name nor the fate of his unsuccessful rival.

Duke Theudelap, 601–653.

Theudelap wore for more than half a century (601–653) the ducal crown of Spoleto. This long reign, which during the greater part of its course coincided with that of Arichis at Benevento (591–641), had doubtless an important influence in rendering both of the southern duchies more independent of the northern kingdom. At Pavia during this half

[1] 'Qui cum victoriam (*sic*) coronatus est' (Paulus, H. L. iv. 16).

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century four kings[1] bore sway; two of whom[2] were able and successful rulers, but the other two[3] were an infant and an usurper. It cannot be doubted that, during this long period, that part of Lombard Italy which lay south and east of the Flaminian Way would be growing less and less disposed to respond to any effectual control on the part of the kings who dwelt north of the Apennines.

Of the events of the long reign of Theudelap we are absolutely ignorant. It is generally supposed to have been peaceful; but this may be only because record fails us of the wars in which he may have been engaged. Some of the early mediaeval buildings of Spoleto are traditionally attributed to his reign; but of this also there appears to be no clear proof; though (as I have already said) there is some reason to think that popular tradition is not altogether wrong in assigning to Theudelap some share at least in the construction of that noble aqueduct which is the great glory of the city of Spoleto.

Duke Atto, 653-663.

There has been, to use a geological term, a complete denudation of all this part of the history of Lombard Italy; and if we know little of Theudelap himself, we know still less of his successor *Atto* (653–663), who is to us a mere name in the pages of Paulus Diaconus[4]. The story of the later dukes will be told chiefly in connection with that of the Lombard kings, against whom they were frequently found in rebellion.

[1] Strictly speaking five, but Rodwald's accession took place a very short time before the death of Theudelap.

[2] Agilulf and Rothari.

[3] Adalwald and Ariwald.

[4] H. L. iv. 50; v. 16.

NOTE A. Ecclesiastical Notices of the Lombards of Spoleto.

We have some hints as to the proceedings of the Lombards in Central Italy, furnished to us by the church writers of the period, which from their character we cannot accept as sober history, and yet which supply us with too vivid a picture of the times to be altogether omitted.

I. Chief among these are the marvellous stories told by Pope Gregory in his strange wonder-book the *Dialogues*. This book was composed in 593, in the early years of his pontificate, before he had tamed Ariulf, or corresponded with Theudelinda, or hurled meek defiance at the Emperor Maurice. Possibly in the later years of his life, after peace with the invaders had been brought about by his means, he might have spoken with rather less bitterness concerning them. The geographical indications furnished by the Dialogues [1] all point, as we might have expected, to the Lombards of the duchy of Spoleto as the ravagers with whom Gregory's friends were chiefly brought in contact. In one place [2] we hear (and it is an almost solitary instance of religious persecution) of their putting four hundred captives to death because they refused to worship a goat's head, round which the Lombards themselves circled in rapid dance, singing an unholy hymn. Of course, these barbarians must have been mere idolaters, who did not pretend to the name even of Arian Christianity. We may perhaps be allowed to conjecture that they belonged rather to that *colluvies gentium*, Bulgarians, Sarmatians, Gepidae, who came with the Lombards into Italy [3], than to the Lombards properly so called.

At Spoleto itself, the Arian bishop of the Lombards demanded of the bishop of the city a church which he might dedicate

[1] 'Valeria provincia' (i. 4, iv. 21), 'provincia quae Sura [? Sora] nominatur' (iv. 22), 'ex Nursiae provincia' (iii. 37), 'in Marsorum provincia' (iv. 23).

[2] Dial. iii. 28.

[3] Paulus, H. L. ii. 26.

NOTE A. to his error[1]. On the firm refusal of the Catholic prelate he announced that he should come next day and forcibly enter the church of St. Paul. The guardian of that church hastened to it, closed and bolted the doors, extinguished all the lights at eventide, hid himself in the recesses of the church, and awaited the result. In the early morning twilight the Arian bishop came with a multitude of men prepared to break open the doors of the church. Suddenly, by an unseen hand, all the bolts of the doors were loosed, the doors opened with a crash, the extinguished lamps burst into flame, and the intruding bishop, seeking to pass the threshold of the church, was struck with sudden blindness and had to be led back by a guide to his home. The miracle of light at the same instant given to the church, and taken away from the heretical bishop, struck all the Lombards in that region with awe, and there was no further attempt to deprive the Catholics of their churches.

Some of Gregory's most characteristic stories are told[2] us concerning a certain presbyter of the province of Nursia, named Sanctulus, who had recently died and appeared to him in vision at the hour of his departure. This Sanctulus passing by saw some Lombards toiling in vain at an olive-press, from which no oil would run forth. He brought a skin and told them to fill it for him. The barbarians, already chafed by their wasted labour, answered him with angry and threatening words; but the holy man called for water, which he blessed and cast into the press, and now there gushed forth such a stream of oil that the labouring Lombards filled not their own vessels only, but his bladder also. In a similar way he fed the workmen employed in rebuilding the church of St. Lawrence destroyed by the Lombards, with a large and beautiful white loaf miraculously hidden in that which was supposed to be an empty oven. All these miracles seem to have procured for him a certain amount of favour from the barbarians, and when a deacon was brought into the city, whom some Lombards had taken prisoner, and were about to put to death, they consented to hand him over to the custody of Sanctulus, but only on condition that

[1] 'Cum ad Spoletanam urbem Langobardorum episcopus, scilicet Arianus, venisset, et locum illic ubi solemnia sua ageret non haberet, coepit ab ejus civitatis episcopo Ecclesiam petere, quam suo errori dedicaret' (Dial. iii. 29).

[2] Dial. iii. 37.

he should answer for his safe keeping with his own life. At midnight, when the Lombards were all wrapt in slumber, the saint aroused the deacon and commanded him to fly, saying that he was in the hands of God and feared not the consequences for himself. Next morning, when the Lombards came and found their bird flown, they were of course vehemently enraged. 'You know,' said they, 'what was agreed upon between us.' 'I know it,' he answered. 'But you are a good man: we would not willingly torture you. Choose by what death you will die.' 'I am in God's hands: slay me in any manner that He shall permit.' Then they consulted together and decided that his head should be cut off by the stroke of a strong Lombard swordsman. At the news that so great a saint and one whom they so highly reverenced was to be put to death, the Lombards gathered from far and near to witness the famous sight [1]. The saint asked leave to pray, which was granted him; but as he remained a long time on the ground prostrate in prayer, the executioner gave him a kick and said, 'Rise, kneel down, and stretch out your neck.' He obeyed; he stretched out his neck; he saw the flashing sword drawn to slay him, and uttered only the prayer: 'Saint John [2], receive my soul.' The executioner swung his sword high in air, but there it remained, for his stiffened arm was unable to bring it down again. Then all the Lombards crowded round the holy man and begged him to arise. He arose. They begged him to release the executioner's arrested arm, but he replied, 'I will in no wise pray for him, unless he will swear never to slay a Christian man with that hand.' The penitent executioner swore the oath, and at the saint's word of command brought down his arm, and plunged the sword back into its sheath. The miracle struck a deep awe into the hearts of all the barbarians, who crowded round the saint and sought to buy his favour by presents of horses and cattle which they had plundered from the country-folk; but he refused all these and only claimed, and this successfully, that all the captives whom they had taken should be restored to freedom.

[1] 'Cognito itaque quod Sanctulus, qui inter eos pro sanctitatis reverentiâ magni honoris habebatur, occidendus esset, omnes qui in eodem loco inventi sunt Langobardi convenerunt (*sicut sunt nimiae crudelitatis*) laeti ad spectaculum mortis.' Ten years later Gregory would perhaps have somewhat modified this sweeping assertion.

[2] Meaning probably John the Baptist, the patron saint of the Lombards.

NOTE A. 'Less fortunate, or less strong in faith, was a certain abbot named Soranus, who, having at the news of the approach of the Lombards given away all the stores laid up in the monastery and therefore having nothing to give when the barbarians came round him, clamouring for gold, was carried off by them to a forest among the mountains. He succeeded in escaping, but one of the Lombards finding him, drew his sword and slew him. When his body fell to the ground the mountain and the forest were shaken together as though the trembling earth confessed herself unable to bear the weight of his holiness [1].

A deacon in the land of the Marsi being beheaded by a Lombard, the foul fiend at once entered into the murderer, who fell prostrate at the feet of his victim [2]. Two monks in the province of Valeria being taken by the raging Lombards were hung on the branches of a tree and died the same day. At evening the two dead monks began to sing with clear and sweet voices, to the joy of their fellow-captives who yet remained alive, but to the terror and confusion of the barbarians who had murdered them [3].

Such are the chief stories told by the great Pope concerning the evil deeds of the Lombards of Central Italy.

II. Another source of information of a similar kind is opened to us by the Life of St. Cetheus (or Peregrinus), bishop of Amiternum, a city now destroyed, which once stood about forty miles south-east of Spoleto, at the foot of the Gran Sasso d' Italia.[4]

The Life is given in the Bollandist Acta Sanctorum (xiii June), on the authority of two MSS., one of which is considerably fuller than the other. I have no means of judging of the age of the MSS. or the authority of the narrative of which I will give a brief abstract, using as much as possible the words of the biographer.

'In the time of Pope Gregory, Emperor Phocas [5], and Farwald

[1] 'Cujus corpore in terram cadente, mons omnis protinus et silva concussa est, ac si se ferre non posse pondus sanctitatis ejus diceret terra quae tremuisset' (Dial. iv. 22). [2] Ibid. iv. 23. [3] Ibid. iv. 21.

[[4] Crivellucci (S. S. v. 127) says that too much importance is here attached to the legend of St. Cetheus, which has no historic value.]

[5] This is of course an error. The accession of Phocas was thirty-four years after the entry of the Lombards into Italy.

duke of Spoleto, the Lombards entered Italy and overflowed the boundaries of the Romans, Samnites and Spoletines. Of this nation, two most evil and ignoble men, sons of concubines, named Alais and Umbolus, came to the city of Amiternum, which they ravaged and plundered in their usual barbaric fashion. Unable to bear their cruelty, Cetheus bishop of the city fled to Rome and besought the protection of Pope Gregory, who assured him that in no long time the Lombards would repent and seek the Papal blessing. For this Cetheus prayed, and before long his prayer was granted, the Lombards from Amiternum coming to implore the Pope's benediction, which he would only grant them on condition of their receiving back their bishop [1]. All the priests and other clergy poured forth from the gate of the city to meet him on his return and welcomed him in the name of the Lord.

'Now dissensions arose between the two Lombard dukes, of whom Alais held the eastern and Umbolus the western gate. Each sought to kill the other, and there was great sadness among the Christians in that city. Alais, plotting with his friends the ruin of the city, sent messengers to Vesilianus [the Roman] count of Orta, praying him to make a midnight attack on the city of Amiternum, and utterly destroy it. Of this design the blessed bishop Cetheus, abiding in his cell, was utterly ignorant. Now there were in that city a God-fearing couple named Fredo and Bona, who went at eventide into the church and prayed, and then having received the bishop's blessing returned to their home. When bed-time came, Fredo did not take off his clothes, but lay down as he was. On his wife asking him the reason he answered, "I am shaken with an immense trembling and I greatly fear that to-night this city will perish." "God will forbid it," said she: but he said, "Bring me my weapons of war and place them by my head, and then we shall sleep secure." This he said, being warned by the Holy Ghost, for he knew naught of the counsels of Alais.

'At midnight a cry was heard, "Arise, arise, an enemy attacks the city!" The most christian Fredo rose from his wife's side, and donning his arms, ran through the streets crying, "Rise,

[1] Was this conversion the result of Ariulf's reconciliation with Gregory in 592?

NOTE A. most holy father Cetheus, rise and pray for us! The city perisheth, we shall lose all our goods and shall ere daybreak be slain with the sword." Bishop Cetheus arose, and rushed into the street, calling aloud on Christ who delivered Daniel from the lions and the Three Children from the fiery furnace, to save the people of Amiternum from their foes. The prayer was heard, the invaders were struck with panic and retired having lost many of their number.

'Next day all the citizens came together to see by what means the enemy could have entered the city. They found ladders raised near the church of St. Thomas, and discovered that all this had been done by the counsel of Alais. He was brought bound into the midst of the people [1], who thundered forth the words, "Death to the traitor!" and began to consider how best to torture him. But Cetheus besought them not to lay hands on him but to cast him into prison and call a meeting [2] of all in that city, both small and great, who should lay upon him a penance lasting many days, that his spirit might be saved in the day of the Lord Jesus.

'At once uprose the impious Umbolus in wrath and fury, and said, "Thou too, O Cetheus, wast certainly privy to this treacherous scheme, for the ladder set against the church of St. Thomas was placed there by thy magic arts. Thou art unworthy to be bishop any longer." The blessed Cetheus swore by the crucified Son of God, by the undivided Trinity, and by the holy Gospels, that he was innocent of any such design; but Umbolus, stopping his ears, ordered him and Alais to be led bound into the midst of the city and there beheaded in the sight of all the people.

'On the road to execution Cetheus sang Psalms with such a loud and triumphant voice that the awe-stricken guardsman [3], though he gladly struck off the head of Alais, refused to strike a blow at the holy man. Full of fury, Umbolus ordered Cetheus to be brought before him and began to taunt him with his bonds. The bishop declared that the curse of Cain the fratricide should rest upon him [4], and that he should dwell for ever with

[1] This is surely a Lombard *folc-mote*.

[2] *Conventus*. This was to be of Romans as well as Lombards, and might take a different view of the case from the *folc-mote*.

[3] *Spiculator*.

[4] For the death of Alais (?).

the Evil One. Turning then to his guards he said, "Why, oh sons of iniquity and servants of darkness, do ye keep me thus in chains? Is it because ye recognise in me a servant of the true God? In His name I will gladly bear not chains only, but death itself: but you, Arians and infidels that ye are, shall have your mansions with Judas Iscariot in the unquenchable Tartarus, and among the wandering spirits shall be your portion: yea, and cursed for ever shall ye be, because ye have scorned my preaching and have refused to listen to the corrections of Truth. But to thee Umbolus, most unutterable of men, none shall ever give the kiss of peace. He who blesses thee shall be accursed, for the curser of Satan curses thee."

'Filled with rage, Umbolus ordered him to be bound and led away to the river Pescara and thrown into it from the marble bridge. So was he thrown in, but by the blessing of God he came to shore safe and sound. Again and again was he thrown in at the tyrant's command by the raging people, but always came safely to the shore. Then the most impious Umbolus ordered them to bring the holy man into his presence, and to fasten under his feet a millstone weighing five hundred-weight, and drown him in the deepest part of the river. Then after another prayer he was thrown into the stream, and at once yielded up his breath, but his body was carried [down the river and across the Adriatic] to the city of Jaterna [Zara in Dalmatia], where a fisherman found it with the millstone still attached to it and surrounded by a holy light. News of the discovery was brought to the bishop and clergy of Zara, who at once perceived that it was the body of a holy man, and buried it near the shore in the odour of sanctity. Often at night was a light like that of a lamp seen to hover round the corpse's head; and a blind man received sight by visiting the tomb. But as none knew the martyr's name, the men of Zara called him only by this name, Peregrinus.'

With all the marks of the handiwork of the conventional martyrologist, there are some touches in this narrative which indicate a real knowledge of the circumstances of the time, and point to a nearly contemporary origin. The Lombards are still 'unspeakable': the split between the two Lombard dukes and the intrigue of one of the rivals with the Imperial general

NOTE A. are events of only too frequent occurrence in Lombard history: and lastly the martyrdom as it is called, is not due to religious intolerance on the part of the Lombards, but to merely political causes. Bishop Cetheus is drowned, not because he upholds the creed of Nicaea, but because he is suspected of complicity in the betrayal of the city to the Greeks, and various circumstances suggest even to us the thought that the suspicion was not altogether without foundation.

CHAPTER III.

SAINT COLUMBANUS.

Sources:—

Our chief authority for the history of Columbanus is the life of that saint by JONAS, a monk of Bobbio, who, though not himself personally acquainted with Columbanus, wrote what he had heard from the saint's friends and companions. The date of the composition of this biography is probably between 640 and 650. Jonas was evidently well trained in the school attached to the monastery, and knew the classical poets only too well for the comfort of his readers. Sometimes his sentences are a mere cento of quotations from their works. Take for instance the first:—

'Columbanus igitur qui et Columba ortus est in Hiberniâ insulâ quae est in extremo Oceano sita, et spectat Titanis occasum, dum vertitur orbis et lux occiduas ponti descendit in umbras: unde denuo peracto cursu noctis irradiat totum redivivo lumine mundum.'

Jonas is not perfectly informed as to Gaulish affairs: for instance—he makes Sigibert, the husband of Brunichildis, king of Austrasia *and Burgundy*. But upon the whole he seems to be an honest narrator, though intent, like all the authors of this kind of literature, on magnifying the miraculous achievements of his hero.

The letters of Columbanus are quoted from the text given in *Monumenta Germaniae Historica*.

We have also the life of Gallus by WALAFRID STRABO (ninth century?), to which we are indebted for some passages in the later life of the saint, who was the spiritual superior of Gallus.

He, too, writes in a somewhat florid but not absolutely barbarous style.

Guides:—

Les Moines de l'Occident, by *Count Montalembert.* Six Months in the Apennines; or a Pilgrimage in search of Vestiges of the Irish Saints in Italy, by *Margaret Stokes.*

IN relating the history of the four great duchies, we have travelled far down through the seventh century. We must now retrace our steps to the very beginning of that century, and follow the fortunes of the Lombard kingdom established at Pavia, from the year 603 onwards. It will be remembered that this year witnessed the greatest of King Agilulf's triumphs. Cremona, Mantua, Brexillum, all surrendered to his generals; the whole valley of the Po became a Lombard possession; the Exarch Smaragdus was forced to conclude peace on terms humiliating to the Empire; the kidnapped daughter of Agilulf, with her husband Gottschalk, was restored to her father; and, most fortunate event, as it seemed, of all, the new dynasty was consolidated by the birth of Theudelinda's son Adalwald, who was baptized according to the Catholic rite by Bishop Secundus of Trient.

Last years of Agilulf.

Agilulf lived for twelve or thirteen years after this year of triumph, but, with one exception, that period seems to have been marked by no political events of great importance for the Lombard kingdom. The exception referred to—and it was a lamentable one—was that terrible invasion of the once friendly Avars which (as was told in the last chapter) blasted the reviving prosperity of the border duchy of Friuli.

Circa 610.

Renewals of the Peace

Relations with the Empire consisted chiefly of a series of renewals of the peace of 603. It had been

with the Empire.

arranged that that peace should endure till the 1st of April, 605[1]. In the summer of that year we must suppose the war to have been in some measure renewed, and the Lombards to have been successful, for two cities on the east of Lake Bolsena, Orvieto and Bagnorea[2], were lost by the Empire. In November of this year (605) Smaragdus was fain to conclude a year's peace with Agilulf at a cost of 12,000 solidi[3]. In 606 the peace was renewed for three years more. It was, perhaps, in 609, at the end of this interval that Agilulf sent a great officer of the household[4] to the Emperor Phocas. He returned, accompanied by the Imperial ambassadors, who brought gifts from their master, and renewed the yearly peace[5]. And so the diplomatic game went on, somewhat in the same fashion as between Spain and the United Provinces in the early part of the seventeenth century. The Roman Emperor could not recognise the Lombards as lawful possessors of any part of the soil of Italy, but he was willing to postpone from year to year the effort to expel them; and the Lombard king, sometimes by the inducement of a large payment of money, was made willing to allow the operation to be so postponed. Emperor succeeded Emperor at Constantinople—the revolution which placed Heraclius on the Imperial throne broke

[1] Paulus, H. L. iv. 28. [2] Urbs Vetus, Balneus Regis.

[3] £7200.

[4] 'Misit rex Stablicianum notarium suum ad Focatem imperatorem' (Paulus, H. L. iv. 35). Stablicianus is generally taken as a proper name, but is it not more probably the description of an office, like that of Comes Stabuli, Grand Constable?

[5] '[Stablicianus] rediens cum legatis imperatoris, factâ pace annuali, Agilulfo regi idem legati imperialia munera optulere' (Paulus, H. L. iv. 35).

out in the autumn of 610—and Exarch succeeded Exarch at Ravenna, but the long-delayed war never came during that generation.

Relations with the Franks.

With his powerful neighbours on the west, the relations of Agilulf were also in the main peaceful. When, in July, 604, the infant Adalwald was solemnly raised upon the shield in the Roman hippodrome at Milan, and declared king over the Lombards, the ambassadors of the Austrasian king, Theudebert II, were standing by, and in their master's name they swore to a perpetual peace between the Lombards and the Franks, to be sealed by the marriage of the royal babe with their master's daughter[1].

League against Theodoric II of Burgundy. 607.

A few years later we hear of Agilulf as joining a quadruple alliance against Theodoric II of Burgundy. This young king, sensual and profligate like all the Merovingian brood, had repudiated with insult the daughter of the Visigothic king, Witterich. Some said that the divorce was suggested by Theodoric's grandmother Brunichildis, who in her eager clutch of regal power would rather that her descendant wallowed in sinful lusts than that she herself should be confronted in the palace by the influence of a lawful queen. But however this may be—and Brunichildis, struggling against the increasing power of the great nobles of the Court, was bitterly assailed by the calumnies of her foes—the offence seemed likely not to go unpunished. A powerful combination was formed. The

[1] 'Igitur sequenti aestate mense Julio levatus est Adaloaldus rex super Langobardos apud Mediolanum in Circo, in praesentia patris sui Agilulfi regis, adstantibus legatis Teudiperti regis Francorum et desponsata est eidem regio puero filia regis Teudiperti et firmata est pax perpetua cum Francis' (Paulus, H. L. iv. 30).

insulted Witterich obtained the alliance of the culprit's brother, Theudebert of Austrasia, of his cousin Chlotochar of Neustria, and even, strange to say, of Agilulf of Italy, who perhaps considered himself bound to follow his ally Theudebert wheresoever he might lead him. However, this formidable combination led to no results, and the meagre annals of the time do not even inform us whether Burgundy was ever invaded by the confederate kings. Evidently Theodoric II, the resources of whose kingdom were directed by the wary old politician Brunichildis, was the most powerful of all the Frankish monarchs. The long-smouldering feud between him and his brother broke out in 612 into open hostilities. Theodoric was twice victorious, took his brother prisoner, and put him, together with his infant son, to death. What became of the little princess, the affianced bride of Adalwald, we are not informed. Theodoric then turned against the only remaining Frankish king, Chlotochar of Neustria, whose neutrality in the previous struggle he had purchased by a promised cession of territory. It seemed as if the long rivalry between the offspring of Fredegundis and that of Brunichildis was about to end in the triumph of the latter, and as if the grandson of Sigibert was to reunite under his sceptre all the wide dominions of Clovis and Chlotochar I. But just at this critical moment Theodoric II died, leaving four infant, but bastard, children behind him. In the name of her great-grandson Sigibert, eldest of the four, Brunichildis aspired to rule over Burgundy and Austrasia, and hoped to conquer Neustria. But the deadly enmity of the Austrasian nobles to the old queen prevented this consummation. Two great nobles, Arnulf, bishop of Metz,

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613.

and Pippin[1], went over to the party of Chlotochar, and by their defection determined the result of the campaign. The battle, which was to have been fought near the banks of the Aisne, was only a sham fight, the armies of Austrasia and Burgundy turning their backs without striking a blow. Brunichildis and her great-grandchildren were captured. Two of the latter were put to death; one escaped, but vanished from the eyes of men; the life of the fourth was spared because he was the godson of the conqueror. Brunichildis herself, after being—so it is said—tormented for three days, and then paraded through the Frankish camp on a camel, was tied by her hair, her hands and her feet to a vicious horse, and so dragged and trampled to death. The long strife between the two houses was at an end, and while Fredegundis, unquestionably the most wicked of the two queens, had died quietly in her bed sixteen years before, the able, unscrupulous, and beautiful Brunichildis lived on into old age only to meet this shameful and terrible end.

Death of Brunechildis.

597.

With the unfortunate Frankish queen and her descendants is closely connected the name of one who exercised a mighty influence on the spiritual history of Theudelinda, and, through her, on the religious history of Italy—the Irish saint Columbanus.

Early years of Columbanus.

Columbanus or Columba (the second) was born in West Leinster probably in 543[2], the same year which

[1] Commonly but erroneously called Pippin of Landen.

[2] We derive this date from a poem addressed to his friend Fidolius, in which Columbanus says that he has now completed his eighteenth olympiad (i. e. his seventy-second year): 'Nunc ad olympiadis ter senos venimus annos.' As Columbanus died in 615, we cannot put the date of his birth later than 543: but as the poem need not have been written in the year of his death

saw the death of the greatest of monks, St. Benedict. He was well born, and was educated in those arts and sciences a knowledge of which still lingered in Ireland while Gaul and Italy were almost submerged under the flood of barbarian invasion. When the fair and noble youth was growing up into his comely manhood [1], visions of beautiful women began to haunt his imagination. Marriage was hopeless, for he had been in some sort vowed by his mother to the service of the Church. Renewed earnestness in his studies, devotion to grammar, rhetoric, geometry, the reading of the Scriptures, failed to banish the alluring dream. At length, by the advice of a pious nun, though against the earnest entreaties of his mother, he resolved to leave his paternal home in Leinster; and, after spending some time in the school (which was probably also a monastery) taught by St. Sinell on an island in Lough Erne, he entered the great monastery which had then been recently founded by St. Comgall at Benchor or Bangor in the county of Down. Here, too, he was doubtless still engaged in intellectual labour, for this was one of the most learned monasteries of the time. Ovid and Virgil were studied within its walls; music was held in high honour; some, probably, of those beautiful Irish MSS. which are among the most precious possessions of our great libraries were illuminated by the monks of Bangor.

Columbanus, however, though no foe to liberal cul-

(though he speaks of himself as 'morbis oppressus acerbis'), it is quite possible that his birth should be put somewhat earlier than that date.

[1] 'Cum eum elegantia formae praesertim corporis candor et pubertas nobilis omnibus gratum redderet' (Jonas, cap. ii.).

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ture, was possessed by the missionary spirit, and, after spending many years at Bangor, he set forth with twelve companions, bent on preaching the Gospel, but not knowing whither they should go[1]. They reached the shores of Brittany[2]; and after they had pursued their missionary career in this country for some time, the fame of St. Columbanus reached the ears of Sigibert, king of Austrasia[3], the husband of Brunichildis. He sent for the Irish saint, begged him to remain in his kingdom, and at length overcame his reluctance to do so by the gift of a ruined village named Anagratis[4], in a wild and rocky region of the Vosges.

He goes forth as a mission-ary.

Columbanus at Anagratis.

Here Columbanus established his monastery, and here he dwelt in peace during the stormy years that

[1] Jonas says, 'Vicesimum ergo aetatis annum agens,' but this does not agree with his previous statement, 'Peractis itaque annorum multorum in monasterio circulis.' Montalembert says, 'Columban, alors âgé de trente ans, sort de Bangor,' and if there be any authority for reading 'tricesimum' instead of 'vicesimum,' this would give a much more satisfactory chronology.

[2] [Not Britain, as rendered in the first edition of this volume. See a cogent argument in Zimmer's article 'Über direkte Handelsverbindung Westgalliens nach Irland, etc.,' Sitzungsberichte der K. Preuss. Akademie der Wissenschaften, xiv. 395–6.]

[3] Jonas, as already stated, erroneously makes Sigibert king of Austrasia *and Burgundy*, but this error does not seem to me to be a sufficient reason for expunging Sigibert's name from the narrative altogether. As that king was killed in 575, we cannot refer Columbanus' arrival in Gaul to a later date. [C. J. Bates in correspondence with the author argued that 'Guntram king of Burgundy' should here be substituted for Sigibert, who was undoubtedly never king of Burgundy but of Austrasia only. Evidently there is some error in Jonas and the question is in which datum, whether in the king's name or in that of his kingdom.]

[4] Said to be now represented by the hamlet of Faucogney in the department of Haute-Saône.

followed the death of Sigibert. There was nothing in his possessions to tempt the cupidity of the fierce dukes and simoniacal bishops of the Frankish kingdoms. The diet of Columbanus and his monks was for some time the bark of trees, wild herbs, and little crab apples [1], but, as we afterwards hear of the monks ploughing and reaping, we may infer that, at any rate from their second season onwards, they were not destitute of bread. For the saint himself, even the austerities of the coenobitic life were not sufficient. Leaving his monastery to govern itself for a time, he retired to a cave in the rocks, which was already the abode of a bear. On hearing the word of command from the saint, 'Depart hence, and never again travel along these paths,' the wild beast meekly obeyed. The fame of the preaching of the saint, and, still more, the fame of his miracles and exorcisms, drew so large a number of postulants to Anagratis that Columbanus found it necessary to establish another monastery, larger and more famous, at Luxovium (now Luxeuil), which was situated within the dominion of Guntram of Burgundy, and was eight miles south of Anagratis. This place, though a ruin like the other, was the ruin of a larger and less sequestered settlement. It still shows the remains of a Roman aqueduct, and when Columbanus and his companions settled within its walls, the hot springs which had supplied its baths were still flowing, and the marble limbs of the once-worshipped gods of the heathen gleamed through the thickets which had been growing there probably since the days of Attila. Eventually, even Luxovium was found to be insufficient

Luxovium.

[1] 'Pomorum parvulorum quae eremus illa ferebat, quas etiam Bulgulas vulgo appellant' (Jonas, cap. viii).

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Ad Fontanas.

to hold all the monks who flocked to its holy shelter, and a third monastery was reared on the neighbouring site of Ad Fontanas.

Unfriendly relations with the Gaulish prelates.

But all this fame and popularity brought its inevitable Nemesis of jealousy and dislike. Columbanus was revered by the common people, but with the high ecclesiastics of Gaul his relations were probably unfriendly from the first. We can see that there was not, and could not be, sympathy between the high-wrought, mystical Irish saint, and the coarse and greedy prelates of Merovingian Gaul. He was, intensely, that which they only pretended to be. To him the kingdom of God was the only joy, the awful judgment of Christ the only terror. They were thinking the while of the sensual delights to be derived from the revenues of the bishoprics which they had obtained by simony. If they trembled, it was at the thought of the probable vengeance of the heirs of some blood-feud, the next of kin of some Frankish warrior whom they had lawlessly put to death. Intellectually, too, the gulf between the Gaulish bishops and Columbanus was almost as wide as the moral divergence. He retained to the end of his days that considerable tincture of classical learning which he had imbibed under Sinell and Comgall. He and his Irish companions were steeped in Virgil and Horace. When they sat down to write even on religious subjects, quotations from the Aeneid flowed with only too great copiousness from their pens; and the Latin prose of Columbanus himself, though often stilted and somewhat obscure, is almost always strictly grammatical. Comparing him with one of the most learned of his Gaulish contemporaries, Gregory of Tours, whose countless grammatical

blunders would be terribly avenged on an English schoolboy, we see that the Irish saint moved in an altogether different intellectual plane from his Gaulish episcopal neighbours, and we can easily believe that he did not conceal his contempt for their ignorance and barbarism.

Dispute about Easter.

Another cause of difference between Columbanus and his Frankish neighbours, and one which could be decorously put forward by the latter as the reason for their dislike, was the divergence between him and them as to the correct time for keeping Easter. In this matter the Irish ecclesiastics, with true Celtic conservatism, adhered to the form of cycle which had been universal in the West for almost two centuries, while the Frankish bishops reckoned their Easter-day according to the table which was published by Victorius in the year 457, and which, though advocating the old Roman usage, noted also that of Alexandria, and in cases of divergent Easters left the ultimate decision to the Pope. The difference, much and earnestly insisted upon in the letters of Columbanus, turned chiefly on two points: (1) The Irish churchmen insisted that in no case could it be right to celebrate Easter before the 25th of March, on which they placed the vernal equinox, while the rest of Christendom had adopted the 21st; (2) they maintained that since the Passover had been ordained to fall on the 14th day of the lunar month, it was right to celebrate Easter upon it, and they consequently allowed the great festival to range between that and the 20th day. The Alexandrian Church restricted the celebration to the interval between the 15th and 21st days: Victorius, in conformity with the old Latin rule, to that between the 16th and 22nd. In

theory it would probably be admitted that the Irishmen were nearer to the primitive idea of a Christian festival based on the Jewish Passover; but in practice —to say nothing of the unreasonableness of perpetuating discord on a point of such infinitely small importance —by harping as they did continually on the words 'the 14th day,' they gave their opponents the opportunity of fastening upon them the name of *Quarto-deciman*, and thereby bringing them under the anathema pronounced by the Nicene Council on an entirely different form of dissent [1].

Letter to Pope Gregory.

On this subject, the celebration of Easter, which absorbed an absurdly large amount of his time and thoughts, Columbanus addressed a letter to Pope Gregory the Great [2]. The dedication is too characteristic not to be given in full:—

'To the holy lord and father in Christ, the most comely ornament of the Roman Church, the most august flower, so to speak, of all this languishing Europe, the illustrious overseer [3], to him who is skilled to enquire into the theory of the Divine causality, I Bar-Jonah (a mean dove) send greeting in Christ.'

It will be seen that Columbanus, here, as in several

[1] The *Quarto-decimani* condemned by the Nicene Council kept the day of the Passion on the fourteenth of Nisan, on whatever day of the week it might happen to fall. Columbanus and his friends always commemorated the Passion on Friday, and the Resurrection on Sunday. The difference between them and their opponents was as to the beginning and end of the period during which, in order to ensure this result, Good Friday must be allowed to swing to and fro on either side of the fourteenth of a month corresponding to the Jewish Nisan.

[2] Dated in the Monumenta Germaniae Historica 595–600. It does not seem possible to fix the date more accurately.

[3] 'Speculatori egregio.'

other places, indulges in a kind of bilingual pun on his own name. The Hebrew equivalent of Columba, a dove, is Jonah. So here he makes Columbanus equivalent to Bar-Jonah, which in his modesty he translates 'vilis Columba'; and elsewhere he recognises that it is his fate to be thrown overboard like his namesake Jonah, for the peace and safety of the Church.

The letter itself argues with much boldness and some skill against the practice of celebrating Easter at a time when the moon does not rise till after two watches of the night are past, and when darkness is thus triumphing over light. He warns the Pope not to set himself in opposition to the great Jerome by condemning the Paschal calculations of Anatolius, whom Jerome had praised as a man of marvellous learning. He asks for advice on two points, (1) whether he ought to communicate with simoniacal and adulterous bishops, and (2) what is to be done with monks who, through desire of greater holiness, leave the monasteries in which they have taken the vows, and retire to desert places, without the leave of their abbot. He expresses his deep regret at not being able to visit Rome for the sake of seeing Gregory, and asks to have some of the Pope's commentary on Ezekiel sent to him, having already perused with extreme pleasure his book, sweeter than honey, on the *Regula Pastoralis.*

It would be interesting to know what reply the great Roman Pope made to the great Irish abbot, but Gregory's letter to Columbanus, if written, has not come down to us. Some years later, about 603 or 604, a synod was held (probably at Chalons-sur-Saone) at which the question of the schismatical observance of Easter in Luxovium and the sister monasteries was

Letter to the Gaulish Synod, 603-4.

the chief subject of discussion. To the Gaulish bishops 'his holy fathers and brethren in Christ, Columba[1] the sinner' addressed a remarkable letter. He praised them for at last assembling in council, even though it was in order to judge him; and this praise recalls Gregory's oft-repeated censure of the Gaulish bishops for their neglect of synodal action. After exhorting them to the practice of humility, he discusses at some length the great Paschal question, and begs them not to celebrate the Resurrection before the Passion by allowing Easter to fall before the equinox, and not to overpass the 20th day of the lunar month, 'lest they should perform the sacrament of the New Testament without the authority of the Old.' Then he turns to more personal affairs, and utters a pathetic prayer for peace. 'In the name of Him who said, "Depart from Me: I never knew you," suffer me, while keeping your peace and friendship, to be silent in these woods, and to live near the bones of my seventeen departed brethren. Suffer me still to live among you as I have done for these past twelve years, and to continue praying for you as I have ever done and ought to do. Let Gaul, I pray you, contain both you and me, since the kingdom of heaven will contain us if we are of good desert, and fulfil the hope of our one calling in Christ Jesus. Far be it from me to contend with you, and to give our enemies, the Pagans and the Jews, occasion to triumph in our dissensions. For if it be in God's ordering that ye should expel me from this desert place, whither I came from across the seas for the love of my Lord Jesus Christ, I can only say with

[1] He uses here the shorter form of his name.

the prophet [Jonah], "If for my sake this tempest is come upon you, take me and cast me into the sea, that this turmoil may cease."'

Columbanus and the animal world.

Thus not only amid the increasing cares of his three great monasteries, but amid increasing conflicts with the hostile bishops of Gaul, passed the middle years of the life of Columbanus. If men hated him, the brute creation loved him. Many of the stories told of him reveal that mysterious sympathy with the lower animals which he shared with an even greater religious revivalist, St. Francis of Assisi. One of his disciples long after told his biographer that often when he had been walking lonely in the desert, his lips moving in prayer, he had been seen to call birds or wild creatures to him, who never disobeyed the call. Then would the saint stroke or pat them, and the shy, wild things rejoiced like a little dog in his caresses. Thus, too, would he call down the little squirrels from the tops of the trees, and they would nestle close to his neck, or play hide and seek in the folds of his great white scapular [1].

We have already heard how the bear at the summons of Columbanus quietly yielded up to him its dwelling in the cave. One day when he was walking through the forest, with his Bible hung by a strap to his shoulder, he pondered the question whether it were worse to fall into the hands of wild beasts or of evil men. Suddenly, as if to solve the problem, twelve wolves rushed forth, and surrounded him on the right hand and on the left. He remained immovable, but

[1] 'Et ferusculam quam vulgo homines *Squirium* vocant, saepe de arduis arborum culminibus accersitam' (Jonas, cap. xvi). The classical word for squirrel is *sciurus*.

cried aloud, 'Oh! Lord, make haste to help me.' The savage creatures came near, and gathered round him, smelling at his garments; but, finding him unmoved, left him unharmed, and disappeared in the forest. When he came forth from the wood, he thought that he heard the voices of Suevic robbers roaming through the desolate region, but he saw not their forms, and whether the sounds were real, or an illusion of the Evil One to try his constancy, he never knew[1].

One day, when he came into the monastery at Luxovium to take some food, he laid aside the gloves which had shielded his hands while working in the field. A mischievous raven carried off the gloves from the stone before the monastery doors on which the saint had laid them. When the meal was ended, and the monks came forth, the gloves were nowhere to be found. Questions at once arose who had done this thing. Said the saint, 'The thief is none other than that bird which Noah sent forth out of the ark, and which wandered to and fro over the earth, nor ever returned. And that bird shall not rear its young unless it speedily bring back that which it has stolen.' Suddenly the raven appeared in the midst of the crowd, bearing the gloves in its beak, and, having laid them down, stood there meekly awaiting the chastisement which it was conscious of having deserved. But the saint ordered it to fly away unharmed[2]. Once upon a time a bear lusted after the apples which formed the sole fruit of the saint and his companions. But when Columbanus directed his servant, Magnoald, to divide the apples into two portions, assigning one to the bear, and reserving the other for the use of the

[1] Jonas, cap. vii.

[2] Jonas, cap. xiv.

saint, the beast, with wonderful docility, obeyed, and, contenting itself with its own portion, never dared to touch the apples which were reserved for the man of God. Another bear, howling round the dead body of a stag, obeyed his bidding, and left the hide untouched, that out of it might be made shoes for the use of the brotherhood; and the wolves, which gathered at the scent of the savoury morsel, stood afar off with their noses in the air, not daring to approach the carcass on which the mysterious spell had been laid.

Dispute with Theodoric and Brunichildis.

But the time came when the saint had to solve his own riddle, by proof that men, and still more women, could be harder and more unpitying even than the wolves. The young king of Burgundy, Theodoric, already, at the age of fourteen, had a bastard son born to him, and by the year 610 he had several children, none of them the issue of his lawful wife. These little ones their great-grandmother, Brunichildis, brought one day into the holy man's presence, when he visited her at the royal villa of Brocoriacum [1]. Said Columbanus, 'What do you mean by bringing these children here?' 'They are the sons of a king,' answered Brunichildis, 'fortify them with your blessing.' 'Never,' said he, 'shall these children, the offspring of the brothel, inherit the royal sceptre.' In a rage, the old queen ordered the little ones to depart. As the saint crossed the threshold of the palace, a thunderstorm or an earthquake shook the fabric, striking terror into the souls of all, but not even so was the fierce heart of Brunichildis turned from her purpose of revenge.

[1] 'Bourcheresse, near Autun,' says Montalembert.

His enemies at Court.

There were negociations and conversations between the saint and the sovereign. Theodoric, who throughout seems to have been less embittered against the saint than his grandmother, said one day, in answer to a torrent of angry rebuke for his profligacy, 'Do you hope to win from me the crown of martyrdom? I am not so mad as to perpetrate such a crime.' But the austere, unsocial habits of the saint had made him many enemies. There was a long unsettled debt of hatred from the bishops of Gaul for the schismatical Easter and many other causes of offence; and the courtiers with one voice declared that they would not tolerate the continued presence among them of one who did not deem them worthy of his companionship. Thus, though the harsh words concerning the royal bastards may have been the torch which finally kindled the flame, it is clear that there was much smouldering indignation against the saint in the hearts of nobles and churchmen before ever these words were spoken. By the common people, on the other hand, Columbanus seems to have been generally beloved.

Captivity at Besançon.

The resultant of all these conflicting forces was an order from the Court that Columbanus should leave his monastery of Luxovium, and take up his residence in a sort of *libera custodia* at Vesontio (*Besançon*). Finding himself laxly guarded, he went up one Sunday to the top of the mountain which overlooks the city of Besançon and the winding Doubs. He remained till noon, half expecting that his keepers would come to fetch him; but, as none appeared, he descended the mountain on the other side, and took the road to Luxovium. By this daring defiance of the royal

orders he filled up the measure of his offences, and Brunichildis at once sent a cohort of soldiers to arrest the holy man and expel him from the kingdom. They found him in the church of the monastery, singing psalms with the congregation of the brethren. It seemed as if force would have to be used in order to tear him from his beloved Luxovium, but at length, yielding to the earnest entreaties of his monks, and of the soldiers, who prayed for forgiveness even while laying hold of the saint's garments, he consented to go with them quietly. The monks all wished to follow him, but only his Irish fellow-countrymen and their Breton comrades were allowed to do so, while those of Gaulish birth were ordered to remain behind. He was taken by way of Besançon and Autun to Nevers, and there was put on shipboard and conveyed down the Loire to Nantes. Many miracles, especially the cure of those afflicted with evil spirits, marked his progress. At Auxerre he said to a certain Ragamund, who came to act as his escort, 'Remember, oh! Ragamund, that this Chlotochar, whom you now despise, will within three years be your lord and master.' The prophecy was the more remarkable because the king of Neustria was at that time much the weakest member of the Frankish partnership, and quite over-shadowed by his cousins of Austrasia and Burgundy. Theodoric, especially, was then at the zenith of his power; and the route traversed by Columbanus and his guards shows that something like three-quarters of that which is now France must have owned his dominion. When, in their voyage down the stream, they came opposite the shrine of the blessed Martin of Tours, Columbanus earnestly besought his keepers to let him

Transportation to Nantes.

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land and pay his devotions at the holy sepulchre. The inexorable guards refused, and Columbanus stood upon the deck, raising sad eyes to heaven in mute protest against their cruelty. But suddenly the vessel stopped in her course, as though she had let down her anchor, and then began mysteriously to turn her head towards the water-gate of Tours. Awed by this portent, the guards made no further resistance to his will; and Columbanus, landing, spent the night in vigils at the tomb of St. Martin. It was a memorable scene, and one worthy to be celebrated by an artist's or a poet's genius; for there the greatest Gaulish saint of the sixth century knelt by the tomb of his greatest predecessor of the fourth century, the upbraider of Brunichildis communed with the spirit of the vanquisher of Maximus.

Columbanus at Tours.

When day dawned Columbanus was invited by Leuparius, bishop of Tours, to share his hospitality. For the sake of his weary brethren he accepted the invitation, though it came from a Gaulish bishop, and spent the day at the Episcopal palace. At the evening meal, when many guests were present, Leuparius, either through ignorance or want of tact, asked him why he was returning to his native country. 'Because that dog, Theodoric, has forced me away from my brethren,' said the hot-tempered saint. At the table was a guest named Chrodoald, a kinsman by marriage of Theudebert, but loyal to Theodoric[1]. He, with demure face, said to the man of God, 'Methinks it is

[1] 'Unus e convivis, Chrodoaldus nomine, qui amitam Theodeberti regis in conjugium habebat, regi tamen Theoderico fidelis erat.' This distinction between the relations of Theudebert and Theodoric looks as if they were the sons of different mothers.

better to drink milk than wormwood,' thus gently hinting that such bitter words ill became saintly lips. Columbanus said, 'I suppose you are a liege man of Theodoric?' 'I am,' he answered, 'and will keep my plighted faith so long as I live.' 'Then you will doubtless be glad to take a message from me to your master and friend. Go, tell him that within three years he and all his race shall be utterly rooted up by the Lord of Hosts.' 'Oh! servant of God,' said Chrodoald, 'why dost thou utter such terrible words?' 'Because I cannot keep silence when the Lord God would have me speak.' Like another Jeremiah denouncing woe on the impious Jehoiakim was this Irish saint, as he hurled his fierce predictions among the trembling courtiers of Theodoric.

Is not carried back to Ireland.

After all, the dauntless Irishman was not carried back to his native land. When he arrived at Nantes, the bishop and count of that city, in obedience to the king's orders, set him on board a merchant vessel carrying cargo to 'the Scots,' that is to the inhabitants of Ireland[1]. But though the ship, impelled by the rowers and by favouring gales, was carried out some way from the land, great rolling waves soon forced her back to the shore. The ship-master perceived that his saintly cargo was the reason of his disappointment. He put Columbanus and his friends ashore, and the ship proceeded on her voyage without difficulty.

At the Courts of Chlotochar

Columbanus, who seems to have been left at liberty to go whither he would, so long as he did not return to Burgundy, visited Chlotochar in his Neustrian

[1] 'Reperta ergo navi quae Scotorum commercia vexerat' (Jonas, cap. xxii).

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capital, gently chided him for his Merovingian immoralities, and advised him to remain neutral in the war which had now broken out between Theodoric and Theudebert. Under the protection of an escort given him by Chlotochar he reached the dominions of Theudebert[1], who gave him a hearty welcome, and invited him to choose some place in the Austrasian territory suitable for the erection of a monastery, which might serve as a base of operations for the missionary work planned by him among the pagans on the border. Such a retreat, after two abortive attempts by the lake of Zurich and at Arbon, he found finally at Bregenz, by the Lake of Constance, whither he travelled up the Rhine, doubtless with much toil of oar to the rowers assigned him by the king. The barbarous Alamanni who dwelt by the banks of the Upper Rhine were still worshippers of Wodan, and filled a large barrel, holding ten gallons, with the beer which they brewed and drunk in his honour[2]. When the saint heard from the idolaters

and Theudebert.

[1] In the course of this journey he arrived at the villa of Vulciacum on the banks of the Marne, where he was welcomed by its lord, Autharius, and his wife Aiga. He gave his blessing to their children Ado and Dado, who afterwards rose high in the service of the kings Chlotochar and Dagobert, but retired from the world, and founded monasteries in the Jura according to the rule of Columbanus. Note here the names of this Austrasian nobleman and his wife, so similar to those of two successive Lombard kings, Authari and Ago (=Agilulf).

[2] 'Reperit eos sacrificium prophanum libare velle, vasque magnum quod vulgo *Cupam* vocant quod vinginti modia [*sic*] amplius nec minus capiebat, cervisiâ plenum in medio positum aiunt illi se Deo suo, Vadono nomine, quem Mercurium ut alii aiunt autumant esse, litare velle' (Jonas, cap. xxvi). Notice the word '*cupa*,' which explains our own *cooper*.

what hateful work they were engaged in, he drew near and breathed upon the barrel, which suddenly burst asunder with a loud crash, spilling all the liquor on the ground.

Columbanus at Bregenz.

In the 'temple' of Bregenz (a ruined Christian oratory once dedicated to St. Aurelia) the stranger found three brazen images fixed to the wall. These images received the idolatrous worship of the people, who said, 'These are our ancient gods, by whose help and comfort we have been preserved alive to this day.' His friend and follower, Gallus, who was able to preach not only in Latin, but in the 'barbaric tongue,' exhorted the multitude who had assembled in the temple to turn from these vain idols and worship the Father and the Son. Then, in the sight of all, Columbanus seized the images, hammered them into fragments, and threw the pieces into the lake. Some of the bystanders were enraged at this insult to their gods, but the more part were converted by the preaching of Gallus. Columbanus sprinkled the temple with holy water, and, moving through it in procession with his monks chanting a psalm, dedicated it afresh to God and St. Aurelia.

St. Gallus on the shore of the lake.

This Gallus, whose knowledge of the Suevic tongue proved so helpful on this occasion, was the same St. Gall who, by the monastery which he founded, has given his name to one of the cantons of Switzerland. He was an Irishman of noble birth who came with Columbanus to the country of the Franks, and accompanied him in all his journeys but the last. From his life we learn some comparatively unimportant particulars about the life of the saint and his followers in Switzerland which need not be repeated here. But

it would be wrong to omit one narrative which has in it a touch of poetry, and which shows how the grandeurs of the Swiss landscape blended themselves with those thoughts of the spirit world which were ever uppermost in the souls of these denizens of the convent. St. Gallus, who was the chief fisherman of the party, and who in fact provided all their food except the wild fowl and the fruits of the wilderness, was once, in the silence of the night, casting his nets into the waters of Lake Constance, when he heard the Demon of the mountain calling from the cliffs with a loud voice to the Demon of the lake. 'Arise,' said he, 'for my help, and let us cast forth these strangers from their haunts; for, coming from afar, they have expelled me from my temple, have ground my images to powder, and drawn away all my people after them.' Then the Demon of the Lake answered, 'All that thou complainest of I know too well. There is one of them who ever harasses me here in the water, and lays waste my realm. His nets I can never break, nor himself can I deceive, because the divine name which he invokes is ever on his lips; and by this continual watchfulness he frustrates all our snares.' Hearing these words, the man of God fortified himself with the sign of the cross, and said, 'In the name of the Lord Jesus Christ I command you that ye depart from this place, and do not presume to injure any one here.' Then he returned and told the abbot what he had heard. The brethren were assembled at once in the church, though it was the dead of night, and their voices filled the air with psalmody. But even before they began the holy song, there were heard dread voices of the Demons floating about from

summit to summit of the mountains, cries and wails as of those who departed in sadness from their home, and confused shrieks as of those who were pursued by the avenger[1].

Again at the Court of Theudebert.

About this time visions of missionary service among the Sclavonic tribes on the border of Venetia began to float before the mind of Columbanus, but an angel appeared to him in a dream, and, holding forth a map of the world, indicated to him Italy as the scene of his future labours[2]. Not yet, however, he was told, was the time come for this enterprise: meanwhile he was to wait in patience till the way should open for his leaving Austrasia. It was by the bloody sword of fratricidal war that the way to the saint's last harvest-field was laid open. It has been told how the long grudge between the two grandsons of Brunichildis burst at last into a flame, and hostilities began. Columbanus, with prophetic foresight of the result, perhaps also with statesmanlike insight into the comparative strength of the two kingdoms, left his solitude, sought the Court of Theudebert, and exhorted him to

[1] This passage in the life of St. Gall recalls two well-known utterances of our own poets:—Wordsworth's

'Two voices are there, one is of the sea; one of the mountains';

and Milton's

> 'The lonely mountains o'er,
> And the resounding shore,
> A voice of weeping heard and loud lament;
> From haunted spring, and dale
> Edged with poplar pale,
> The parting genius is with sighing sent.'

[2] The passage in Jonas (cap. xxvi) is obscure, but the description of the map is interesting: 'Angelus Domini per visum apparuit parvoque ambitu velut paginali solent stylo orbis describere circulum, mundi compagem monstravit.'

BOOK VII. CH. 8.

612.

decline the contest and at once enter the ranks of the clergy. The king and all his courtiers raised a shout of indignant derision. 'Never was it heard that a Merovingian, once raised to the throne, of his own will became a priest.' 'He who will not voluntarily accept the clerical honour,' said Columbanus, 'will soon find himself a clergyman in his own despite'; and therewith he departed to his hermitage. The prophecy was soon fulfilled. The two armies met on the field of Toul. Theudebert was defeated, fled, gathered a fresh army, and was again defeated on the field of Tolbiac[1], where a terrible slaughter was made in the ranks of both armies. Betrayed by his friends, he was captured by his brother and carried into the presence of their grandmother, who had never forgiven him or his for her exile from Austrasia. She at once shore his long Merovingian locks, and turned him into a tonsured cleric; and not many days after, she or Theodoric ordered him to be put to death. Close upon these events followed, as has been already related, the sudden death of Theodoric II, the murder of his children, and the reunion of the whole Frankish monarchy under the sceptre of the lately despised and flouted Chlotochar.

613.

Battle of Tolbiac seen by Columbanus in a vision.

The bloody day of Tolbiac was seen in a dream by Columbanus, overtaken by sudden slumber as he was sitting reading on the rotten trunk of a fallen oak tree in his beloved wilderness. The disciple who listened to his story of the battle said, 'Oh, my father, pray for Theudebert, that he may conquer his and our enemy, Theodoric.' 'Unwise and irreligious is thy advice,' said Columbanus. 'Not thus hath the Lord commanded

[1] Zulpich, near Cologne.

us, who told us to pray even for our enemies.' Afterwards, when the tidings came of the great encounter, the disciple learned that it had been fought at the very day and hour when the saint beheld it in his vision.

Columbanus in Italy, 613.

The battle of Tolbiac broke the last thread that connected Columbanus with the kingdom of the Franks, and accordingly, leaving Gaul and Germany behind him, he pressed forward into Italy. One only of his faithful band of followers did not accompany him. Gallus, who had sickened with fever, and who perhaps felt that his special gifts as a missionary to the Suevi would be wasted when he had crossed the Alps, remained behind on the shores of Lake Constance, which he had learned to love. As St. Paul with Mark when he departed from him and Barnabas at Perga, so was Columbanus deeply grieved with the slackness of spirit of his disciple, upon whom he laid a solemn injunction never to presume to celebrate mass during the lifetime of his master.

Columbanus was received with every mark of honour and esteem by Agilulf and Theudelinda[1]. He remained

[1] Was this the first occasion on which Columbanus visited Italy? Abbot L. della Torre started the theory that the saint paid a previous visit in 595; that he then founded the monastery of Bobbio, and remained in Italy till 598. This theory was accepted by Pagi and many other scholars, among the latest of whom is Carlo Troya (Storia d'Italia, iv. 2. 27). Muratori, however, never adopted it, and there can be little doubt that he was justified in his scepticism. There is no hint in his biography by Jonas of any such early interruption to the saint's Gaulish career, and in fact the only evidence for the theory is certain documents quoted by Troya (iv. 1, ccxlvi. and ccxlix.) under the date 601. These documents profess to be (1) a grant from Agilulf to Columbanus of the basilica of Bobbio and the territory for four

BOOK VII. CH. 3. 613.

apparently for some months at Milan, arguing with the Arian ecclesiastics who still haunted the Lombard Court. 'By the cautery of the Scriptures,' as his biographer quaintly says, 'he dissected and destroyed the deceits of the Arian infidelity, and he moreover published against them a book of marvellous science[1].' But all men who knew Columbanus knew that he would not be content to dwell long in palaces or cities, but that he must be sighing for the solitude of the wilderness and the silence of the convent. It was doubtless from a knowledge of this desire that a certain man named Jocundus came one day to King Agilulf, and began to expatiate on the advantages for a monastic life afforded by the little village of Bobium (Bobbio), about twenty-five miles from Placentia. This place, situated on the banks of the little river Trebia (which witnessed the first of Hannibal's great victories over the Romans), lies away from the great high-roads of the Lombard plain, its cities and its broad river, and nestles in a fertile valley shut in by the peaks of the central Apennine chain. It has its own little stream, the Bobbio, confluent with the Trebia and abounding

At Bobbio.

miles round it, and (2) a letter from Columbanus to Gregory I, by which the former places his newly founded monastery under the protection of the Pope. The dates of these documents, however, are confessedly quite wrong, as they quote years of the Indiction which do not correspond with the regnal years also quoted by them; and it is now generally admitted that (as argued by Waitz in the Götting. Gelehrte Anzeigen, 1856) these early Bobbio documents are forgeries. With this admission the whole theory of an earlier visit of Columbanus to Italy falls to the ground, and it is needless to spend any more time on its refutation.

[1] 'Contra quos etiam libellum florentis scientiae edidit' (Jonas, cap. xxix).

in fish. Everything marked it out as being, according to the description of Jocundus, a place well suited for the cultivation of monastic excellence; and thither Columbanus joyfully retired. He found there a half-ruined basilica of St. Peter, which he at once began to restore with the help of his followers. The tall firs of the Apennines were felled, and their trunks were transported over rough and devious ways down into the fertile valley. The alacrity of the aged saint, who personally helped in the pious toil, became in the next generation the subject of a miracle. 'There was a beam which, if placed on level ground, thirty or forty men would have drawn with difficulty. The man of God, coming up to it, placed the immense weight on the shoulders of himself and two or three of his friends; and where before, on account of the roughness of the road, they had, though unencumbered, walked with difficulty, they now, laden with the beam's weight, moved rapidly forward. The parts seemed reversed, and they who were bearing the burden walked with triumphant ease, as if they were being borne along by others.'

613.

Special importance of Bobbio.

Such were the beginnings of the great monastic house of Bobbio. It has for us a special interest (and this is our justification for spending so long a time over the life of its founder), for there can be little doubt that the monastery of Bobbio, even more than the holiness and popularity of Queen Theudelinda, was the means of accomplishing that conversion of the Lombards to the Catholic form of Christianity, which at last, though not in the first or second generation, ended the religious duality of Italy. True to his early literary and philosophical instincts, Columbanus seems,

with all his austerities, ever to have preserved the character of an educated Churchman. Learned as the Order of Benedict became in after years, we shall probably not err in supposing that at this time it was surpassed in learning by the Order of Columbanus. The library of Bobbio was for many centuries one of the richest, probably *the* richest, in Italy, and many of the most precious treasures now deposited in the Ambrosian library at Milan have been taken thither from the monastery of Columbanus [1].

Arian treatises.

It is noteworthy that among these treasures are to be found some considerable fragments of the Gothic Bible of Ulfilas, and of his Commentary on the Gospel of John [2]. Apparently Columbanus, in his controversies with the Arians at Milan, did not neglect the wholesome practice of studying his opponents' arguments in

[1] The monograph by G. L. Krafft, 'De Fontibus Ulfilae Arianismi ex Fragmentis Bobiensibus erutis' (Bonn, 1860), brings out very well this special connexion of the monastery of Bobbio with the literature of the Arian controversy. He concludes: 'Thus the convent of Bobbio became a citadel for the defence of the Catholic faith, and for the attack on German Arianism, which the Lombards alone of all the Germanic nations were at that time professing and strongly upholding. Accordingly in this one abode, as in an arsenal, almost all the writings relating to German Arianism have been preserved for us. I mention here in passing the Paris Codex, which contains the memoir of Auxentius on the Arian teaching of Ulfilas, the origin of which G. Waitz says to be uncertain, but which I think must be traced back to this same convent of Bobbio, whose most ample treasures have been dispersed in all directions. Nor is it to be wondered at that after Arianism was vanquished the monks of Bobbio should have begun to turn these codices to another account, writing Latin treatises over those which were in the Gothic or Lombard tongue, the knowledge of which they had completely lost.'

[2] 'Skeireins Aivaggeljons thairh Johannen' (edited by Massmann, Munich, 1834).

their own books, and to this wise liberality of thought may have been due some portion of his success. Nor was the secular, Pagan side of literature unrepresented in the library of Bobbio. The great palimpsest now in the Vatican, in which Cardinal Mai discovered, under St. Augustine's Commentary on the Psalms (119–140), Cicero's lost treatise, De Republicâ, bears yet this inscription on one of its pages, 'Liber Sancti Columbani de Bobio [1].'

Pagan literature.

A quaint exemplification of the saint's unextinguished love for classical literature is furnished by the verses which, at the age of seventy-two, and probably within a few months of his death, he addressed to a certain friend of his named Fedolius. They are written in a metre which he calls Sapphic, but which a modern scholar would rather call Adonic, being entirely composed of those short lines (dactyl and trochee) with which the Sapphic verse terminates:—

The Saint's Sapphics.

> 'Take, I beseech you,
> Now from my hands this
> Trumpery gift of
> Two-footed verses;
> And for your own part
> Frequently send us

[1] See Cardinal Mai's preface to Cicero de Republicâ, 1823 (p. xxiii). He says that these words, written apparently in the tenth century, are to be found in nearly all the codices which once belonged to the library of Bobbio. They do not therefore necessarily imply any personal connexion with Columbanus. Mai attributes the original MS. of Cicero to a date not later than the sixth century, possibly as early as the second or third. The superimposed text of Augustine he thinks to be not later than the tenth century. [The De Republicâ palimpsest is now assigned to the fourth century, and the text of Augustine is thought to have been superimposed towards the eighth century.]

Verses of yours by
Way of repayment.
For as the sun-baked
Fields when the winds change
Joy in the soft shower,
So has your page oft
Gladdened my spirit.'

Columbanus then proceeds through about eighty lines to warn his friend against avarice. The examples of the curse of riches are all drawn from classical mythology. The Golden Fleece, the Golden Apple, the Golden Shower, Pygmalion, Polydorus, Amphiaraus, Achilles, are all pressed into the poet's service; and as the easy and, on the whole, creditable lines flow on, the idea is suggested to the reader's mind that probably Fedolius was no more inclined to avarice than his adviser, but that the commonplaces about avarice expressed themselves so easily in the Adonic metre that the saint had not the heart to deny himself the pleasant exercise. He ends at last thus:—

'Be it enough, then,
Thus to have spun my
Garrulous verses.
For when you read them,
Haply the metre
May to you seem strange.
Yet 'tis the same which
She, the renowned bard
Sappho, the Greek, once
Used for her verses.
You, too (the fancy
Haply may seize you
Thus to compose verse).
Note my instructions:
Always a dactyl
Stands in the first place;
After it comes next

Strictly a trochee,
But you may always
End with a spondee.
Now then, my loved one,
Brother Fedolis,
Who when you choose are
Sweeter than nectar,
Leave the more pompous
Songs of the sages,
And with a meek mind
Bear with my trifling.
So may the World-King,
Christ, the alone Son
Of the Eternal,
Crown you with Life's joys.
He in his Sire's name
Reigneth o'er all things
Now and for ever.

Such is the verse I have framed, though tortured by cruel diseases,
Born of this feeble frame, born too of the sadness of old age.
For while the years of my life have hurried me downward and onward,
Lo! I have passed e'en now the eighteenth Olympian milestone.
All things are passing away: Time flies and the traitor returns not.
Live: farewell. In joy or in grief remember that Age comes.'

Resumes a hermit life.

These dallyings with the classic Muse surprise us, not unpleasantly, in the life of so great a saint, who was the founder of a rule more austere than that of St. Benedict. Still greater becomes our surprise when we learn that, according to a tradition which, though late, seems to be not wholly unworthy of belief, even monastic austerity was not sufficient for the saint in these years of his failing strength, and that he must needs resume the life of a hermit. To this day a cave is pointed out in a mountain gorge a few miles from

Bobbio, to which Columbanus is said to have retired for the last few months, perhaps years, of his life, only returning to the monastery on Sundays and saints' days to spend those seasons of gladness with his brethren [1].

Intercourse with the Lombard king and queen.

We hear more of Columbanus in the monastery and in the cave than in the palace, but there can be no doubt that his interviews with Agilulf and Theudelinda were frequent and important. He helped the Bavarian queen with all the energy of his Celtic nature in fighting against Arianism, but he also (unfortunately for his reputation with the ultra-orthodox) threw himself with some vehemence into her party in the dismal controversy of the Three Chapters. For Theudelinda, it is evident, notwithstanding the pious exhortations of popes and archbishops, still remained unconvinced of the damnation of the three Syrian ecclesiastics; and now, finding that the new light which had risen upon Italy was in the same quarter of the theological heaven with herself, she determined to use his influence on behalf of the cause which she held dear. At her request and Agilulf's, Columbanus addressed a long letter to Pope Boniface IV [2], the third successor of Gregory the Great in St. Peter's chair.

Three Chapters Controversy.

Letter of Columbanus to Pope Boniface IV.

The address of his letter is peculiar. Columbanus often alludes to the garrulity which has been for centuries the characteristic of his race, and as we seem to

[1] Jonas says nothing about this cave-retreat, which is particularly described in the Miracula (tenth century). See the description of the cave in Miss Stokes' charming book, Six Months in the Apennines, p. 143.

[2] Successors of Gregory I:—Sabinianus, 604–606; Boniface III, 607; Boniface IV, 608–615. The letter is No. 5 in the collection of St. Columbanus' letters in the M. G. H. (p. 170).

hear the words of this fulsome dedication, uttered in the rich, soft Irish brogue, an epithet unknown to the dignity of history seems the only one which will describe the saintly communication:—

'To the most beautiful Head of all the Churches of Europe, to the sweetest Pope, to the lofty Chief, to the Shepherd of Shepherds, to the most reverend Sentinel, the humblest to the highest, the least to the greatest, the rustic to the citizen, the mean speaker to the very eloquent, the last to the first, the foreigner to the native, the beggar to the very powerful: Oh, the new and strange marvel! a rare bird, even a Dove, dares to write to his father Bonifacius.'

However, when Columbanus has fairly commenced the letter thus strangely preluded, no one can accuse him of indulging in 'blarney.' He speaks to the Pope with noble independence, recognising fully the importance of his position as representative of St. Peter and St. Paul, but telling him plainly that he, the Pope, has incurred suspicion of heresy, and exhorting him not to slumber, as his predecessor Vigilius did, who by his lack of vigilance has brought all this confusion upon the Church[1].

It is not very clear what Columbanus desired the Pope to do, for the letter, which is inordinately long and shows traces of the garrulity of age as well as of the eloquence of the Irishman, is singularly destitute of practical suggestions, and evinces no grasp at all of the theological problem. It appears, however, that he recommends the Pope to summon a council, and that

[1] 'Vigila itaque, quaeso papa, vigila et iterum dico: vigila, quia forte non bene vigilavit Vigilius, quem caput scandali isti clamant qui vobis culpam injiciunt.'

he does not recognise 'a certain so-called fifth council in which Vigilius was said to have received those ancient heretics, Eutyches, Nestorius, and Dioscorus[1].' What we are concerned with, however, is the information afforded us by this letter as to the sentiments of the Lombard king and queen; and this is so important that it will be well to extract the sentences containing it in full. 'If I am accused of presumption, and asked as Moses was, "Who made thee a judge and a ruler over us?" I answer that it is not presumption to speak when the edification of the Church requires it; and if the person of the speaker be cavilled at, consider not who I, the speaker, am, but what it is that I say. For why should the Christian foreigner hold his peace when his *Arian neighbour* has long said in a loud voice that which he wishes to say, "For better are the wounds of a friend than the deceitful kisses of an enemy"? . . . I, who have come from the end of the world, am struck with terror at what I behold, and turn in my perplexity to thee, who art the only hope of princes through the honour of the holy Apostle Peter. But when the frail bark of my intellect could not, in the language of the Scriptures, "launch out into the deep," but rather remained fixed in one place[2] (for the paper cannot hold all that my mind from various causes desires to include in the narrow limits of a letter), I found myself in addition *entreated by the king* to suggest in detail to your pious ears the whole

[1] 'Dicunt enim Eutychem, Nestorium, Dioscorum antiquos ut scimus hereticos a Vigilio *in synodo nescio quâ in quinta* receptos fuisse.' It cannot be necessary to point out how utterly wild is this accusation against the unfortunate Vigilius.

[2] Have we an allusion here to the reported miracle which prevented the saint's return to Ireland?

story of his grief; for he mourns for the schism of his people, for his queen, for his son, perchance also for himself: since *he is reported to have said that he, too, would believe if he could know the certainty of the matter*. . . . Pardon me, I pray, who may seem to you an obscure prater, too free and rough with his tongue, but who cannot write otherwise than he has done in such a cause. I have proved my loyalty [1], and the zeal of my faith, when I have chosen to give opportunity to my rebukers rather than to close my mouth, however unlearned it be, in such a cause. These rebukers are the men of whom Jeremiah has said [2], "They bend their tongues like their bow for lies." . . . But *when a "Gentile" king begs a foreigner, when a Lombard begs a dull Scot to write*, when the wave of an ancient torrent thus flows backward to its source, who would not feel his wonder overcome his fear of calumny? I at any rate will not tremble, nor fear the tongues of men when I am engaged in the cause of God. . . .

'Such, then, are my suggestions. They come, I admit, from one who is torpid in action, from one who says rather than does; from one who is called Jonah in Hebrew, Peristera in Greek, Columba in Latin; and though I am generally known only by the name which I bear in your language, let me now use my old Hebrew name, since I have almost suffered Jonah's shipwreck. But grant me the pardon which I have often craved, since I have been forced to write by necessity, not from self-conceit. For almost at my first entrance into this land I was met by the letters of a certain person, who said that I must beware of you, for you had fallen away into the error of Nestorius.

[1] 'Germanitatem meam.' [2] Jer. ix. 3.

Whom I answered briefly and with astonishment that I did not believe his allegation; but lest by any chance I should be opposing the truth, I afterwards varied my reply, and sent it along with his letter to you for perusal[1].

'After this, another occasion for writing was laid upon me *by the command of Agilulf*, whose request threw me into a strangely blended state of wonder and anxiety, for what had occurred seemed to me hardly possible without a miracle. For these kings have long strengthened the Arian pestilence in this land by trampling on the Catholic faith; but now they ask that *our* faith shall be strengthened. Haply Christ, from whose favour every good gift comes, has looked upon us with pitying eye. We certainly are most miserable, if the scandal is continued any longer by our means. Therefore *the king asks you*, and the queen asks you, and all men ask you, that as speedily as possible all may become one; that there may be peace in the country, peace among the faithful; finally, that all may become one flock, of which Christ shall be the shepherd. Oh, king of kings! do thou follow Peter, and let all the Church follow thee[2]. What is sweeter than peace after war? What more delightful than the union of brethren long separated? How pleasant to waiting parents the return of the long-absent son! Even so, to God the Father the peace of His sons will be a joy for countless ages, and the gladness of our mother the Church will be a sempiternal triumph.'

The letter ends with an entreaty for the prayers of

[1] Columbanus is here very obscure, and I am not sure that I have caught his meaning.

[2] 'Rex regum, tu Petrum, te tota sequatur ecclesia.'

the Pope on behalf of the writer, 'the vilest of sinners.'

Was Agilulf converted from Arianism? Statement of Paulus.

Now I must ask the reader to set over against this letter of Columbanus, written probably about 613 or 614, very shortly before Agilulf's death, the following statement of Paulus, which occurs at an early point in the history of his reign [1] :—'By means of this queen [Theudelinda] the Church of God obtained much advantage. For the Lombards, when they were still involved in the error of heathenism [2], plundered all the property of the Churches. But the king, being influenced by this queen's healthful intercession, *both held the Catholic faith* [3], and bestowed many possessions on the Church of Christ, and restored the bishops, who were in a depressed and abject condition, to the honour of their wonted dignity.'

These words certainly seem to imply that Agilulf was persuaded by his wife to embrace her form of faith. We should indeed have expected some other word than 'held' to describe the conversion of a heretic, and throughout the paragraph the historian is thinking more of the outward and visible effects of the king's conversion than of the internal process. Still, the passage cannot, as it seems to me, be made to assert anything less than the catholicity of Agilulf, and it does not describe a death-bed conversion, but the whole character of his reign.

On the other hand, the letters of Gregory for the

[1] H. L. iv. 6.

[2] 'Cum adhuc gentilitatis errore tenerentur.' I do not see how we can translate 'gentilitatis' by any weaker word than heathenism.

[3] 'Et catholicam fidem tenuit.'

first fourteen years of that reign, and this letter of Columbanus within a couple of years of its close, bring before us an entirely different mental state. The Agilulf whom they disclose to us is tolerant, and more than tolerant, of the religion of the queen who has invited him to share her throne. He allows his son, the heir to the Lombard crown, to be baptized with Catholic rites. He is anxious that the Three Chapters Schism should be ended, and that there should be religious peace in his land. If the orthodox would but agree among themselves, and not worry him about the damnation of Theodore, Ibas, and Theodoret, he is almost ready himself to believe as they believe, but meanwhile he is still 'vicinus Arius'; and in the Arian faith, for anything that the contemporary correspondence shows us, he died as well as lived. Different readers will perhaps come to different conclusions on such conflicting evidence, but upon the whole I am inclined to disbelieve the alleged conversion of Agilulf[1].

Religious laxity of the Lombards.

The whole discussion is to my mind another evidence of the loose, limp hold which the Lombards had on any form of Christian faith. The Vandals, in the bitterness of their Arianism, made the lives of their Catholic subjects in Africa miserable to them. Visigothic Alaric, Arian though he was, would rather lose a campaign than fight on Easter Day; and his successors, when

[1] This is the conclusion reached by Weise (pp. 271–273), and he supports it by the description of a marble bas-relief in the church of St. John the Baptist at Monza. Herein Theudelinda and her two children were represented as standing in the foreground, bringing consecration offerings to the Baptist; while Agilulf—as one not in full church communion with them—knelt behind them praying with folded hands. I do not think we can lay much stress on this difference of representation.

they at length embraced the orthodox form of faith, became such ardent Catholics that they virtually handed over the government of the state to the councils of bishops. But the Lombards, though heterodox or heathen enough to plunder and harry the Church, had no interest in the theological battle, and whether their greatest king was Arian or orthodox was probably more than many of his counsellors knew, perhaps more than he could himself have told them.

Visit of Eustasius to Columbanus.

The last event recorded in the life of Columbanus was the visit of Eustasius, his dear friend, disciple, and successor in the Abbotship of Luxovium. He came on an embassy from Chlotochar, now, after the death of Theodoric, unquestioned lord of all the Frankish kingdoms. Chlotochar knew well how the saint had been harassed by their common foe, Brunichildis, and how in the days of his own humiliation Columbanus had predicted his coming triumph. Gladly, therefore, would the king have had him return to Luxovium, that all things might go on as aforetime in the Burgundian monastery. But Columbanus probably felt himself too old and weary to undertake a second transplantation. He kept Eustasius with him for some time, giving him divers counsels as to the government of the monastery, and then dismissed him with a grateful message to Chlotochar, commending Luxovium to his special protection.

Death of Columbanus.

After a year's residence at Bobbio Columbanus died, on the 21st of November, 615, having on his deathbed handed his staff[1] to a deacon, with orders to carry it to Gallus as a sign that he was forgiven for his old

[1] 'Baculum ipsius quem vulgo Cambotam (?) vocant' (Vita S. Galli, cap. xxv).

offence, and was now at liberty to resume his ministrations at the altar.

615. Subsequent history of his rule.

The rule of Columbanus, somewhat harsher than that of Benedict, both in respect of abstinence from food and of corporal chastisement for trivial offences, spread far and wide over Gaul. Luxovium (or Luxeuil) became the mother of many vast monasteries, the schools of which were especially renowned for the admirable education which the sons of Frankish nobles there received from the disciples of Columbanus. In Italy, already preoccupied by the followers of Benedict, the spread of the Columbanian rule was probably less universal, as Bobbio does not seem to have vied with Luxeuil in the number of her daughter convents. But in all, whether Gaulish or Italian, the rule of Columbanus early gave way to that of Benedict, in whose monastic code there was perhaps less of the wild Celtic genius, more Roman common sense, less attempt to wind men up to an unattainable ideal of holiness, more consideration for human weakness than in that of the Irish saint. Above all—and this was perhaps the chief reason for the speedy triumph of the Benedictine rule—Gregory the Great had given the full, final, and emphatic sanction of Papal authority to the code of his master, Benedict; while in Columbanus, with all his holiness of life and undoubted loyalty to the chair of St. Peter, there had been a touch of independence and originality, a slight evidence of a disposition to set the Pope right (in reference both to the keeping of Easter and the controversy about the Three Chapters), which perhaps prevented the name of the Irish saint from being held in grateful remembrance at the Lateran. Whatever the cause,

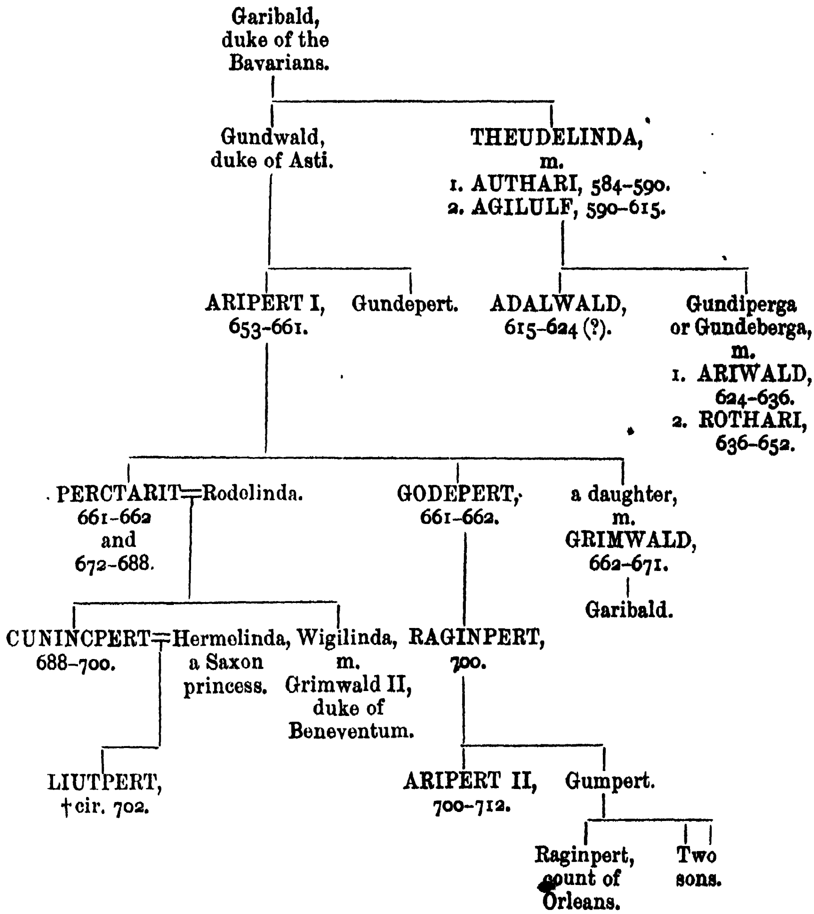
in Burgundy at any rate, at the Council of Autun in 670, the rule of Benedict was spoken of as that which all persons who had entered into religion were bound to obey. Thus little more than fifty years after his death the white scapular of Columbanus was disappearing before the black robe of Benedict.

Death of Agilulf.

We have seen that Columbanus died in the year 615. In the same or possibly the following year [1] Agilulf, king of the Lombards, died also, and Theudelinda was a second time left a widow.

[1] The date assigned to this event by Waitz in the edition of Paulus in the M. G. H. and by many other enquirers is 616 ; but Weise, p. 253, seems to show good reason for dating it in 615. Even so, it is difficult to get room for the ten years of Adalwald, and the twelve of Ariwald before the accession of Rothari. There must in any case be a great deal of guess-work in Lombard chronology.

LOMBARD KINGS OF THE BAVARIAN LINE.



CHAPTER IV.

THEUDELINDA AND HER CHILDREN.

Authorities.

Sources:—

FOR this part of the history PAULUS, who has now lost the guidance of SECUNDUS, is very arid and unsatisfactory. He frankly confesses that he knows nothing as to the reign of Ariwald; and he is not much better informed as to Adalwald and Rothari.* Our chief source thus failing us, we have to eke out our information from the LIBER PONTIFICALIS (as critically edited by Abbé Duchesne), and from the chronicles of the so-called FREDEGARIUS. Some account has already been given of this chronicler, apparently a Burgundian ecclesiastic, who has in very uncouth fashion, and in even worse Latin than that of Gregory of Tours, sought to continue the work of that historian[1]. In the first three books of his chronicles he is little more than a copyist, transcribing long passages from Jerome, Hippolytus, Idatius, Isidore, and Gregory of Tours. In the fourth book, however, which begins with the twenty-third year of King Guntram (583), he begins to write as a more independent historian, though even here it is thought that he had some short Burgundian annals before him. His history ends in 642, and he himself apparently died before 663. There is therefore reason to think that from about 631 onwards he speaks strictly as a contemporary; and ill-informed and inaccurate as he often shows himself, this fact, in the great dearth

[1] Not omitting, however, to begin from the Creation of the World.

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of authorities for the seventh century, gives this part of his work a high value, and justifies us in sometimes preferring his authority to that of Paulus Diaconus, where the two seem to be in collision.

From a few quotations which I have given, the reader will see how low the standard of Latinity had sunk even among the ecclesiastics of Burgundy, itself one of the least barbarous regions of Gaul, by the middle of the seventh century.

Adalwald, 615-624. His failure as a ruler.

THE story of the joint reign of Theudelinda and Adalwald, after the death of the strong and statesman-like Agilulf, is obscure and melancholy. We might conjecture that we should find in it a repetition of the tragedy of Amalasuntha and her son; but there is no trace in our authorities of those domestic dissensions which brought the dynasty of Theodoric to ruin.

Not apparently due to his mother's zeal against Arianism.

We might also with more reason conjecture that the fervent zeal of Theudelinda for the Catholic faith provoked a reaction among her Arian subjects; and certainly the fact that the rival who succeeded in hurling Adalwald from his throne was a zealous Arian[1] would lend some probability to the hypothesis. But, though it is true that Paulus tells us that 'under this reign the churches were restored, and many gifts were bestowed on sacred places,' there is no evidence of anything like aggressive war being waged by the royal rulers against the Arian sect. On the contrary, we may still read a most curious letter in which Sisebut, king of the Visigoths, exhorts the young king to greater zeal in 'cutting off the putrid errors of the heretics by the knife of experience,' inveighing with

[1] This is stated by the contemporary monk, Jonas, in his life of Bertulf, second abbot of Bobbio. I owe the quotation to Abel (Essay on *Das Christenthum bei den Langobarden*, appended to his translation of Paulus, p. 246).

all the zeal of a recent convert against the Arian contagion, and lamenting that so renowned a nation as the Lombards, so wise, so elegant, and so dignified, should sit down contented under the yoke of a dead and buried heresy [1]. Of course it is possible that this and similar exhortations may have lashed the young ruler into a fury of persecution on behalf of the now fashionable orthodoxy, and that this may have been one of the things which cost him his crown; but our scanty historical evidence tells rather against than in favour of that suggestion. The historian of the Lombards distinctly attributes the fall of Adalwald to his own insanity [2]. A strange but contemporary story connects that insanity in a mysterious way with the influence of the court of Ravenna; and this will therefore be a fitting place to piece together the scanty notices that we possess of the Byzantine governors of Imperial Italy during the first quarter of the seventh century.

Succession of Exarchs: (Longinus, 567–585.) Smaragdus, 585–589. Romanus, 589–597(?).

We have already seen how the ineffectual Longinus was superseded, probably in 585, and his place given to the energetic but hot-headed Smaragdus; how Smaragdus, interfering too violently in the Istrian schism, was recalled in 589, and was succeeded by Romanus, the Exarch whose apparent indifference to the fate of Rome aroused the indignation of Pope Gregory; how, on the recall of Romanus, Callinicus succeeded to the government, and administered the

[1] This odd effusion of newly-born Catholic zeal is to be found in Troya, i. 571–576.

[2] 'Sed dum Adaloald *eversa mente insaniret* postquam cum matre decem regnaverat annis de regno ejectus est, et a Langobardis in ejus loco Arioald substitutus est' (Paulus, H. L. iv. 41).

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affairs of Italy, generally in a friendly spirit to the Pope, from 597 to 602, and then, on the downfall of the Emperor Maurice, was superseded in favour of Smaragdus, who a second time sat as Exarch on the tribunal of Ravenna. The second administration of Smaragdus lasted in all probability from 602 to 611. Its chief political events, the dastardly abduction of the daughter of the Lombard king with her family, and the heavy price which the Empire had to pay for that blundering crime, in the loss of its last foothold in the valley of the Po, have already been related. One proof of Smaragdus' servile loyalty to the usurper Phocas (fitting master of such a man) has not been mentioned. All visitors to Rome know the lonely pillar with a Corinthian capital, which stands in the Forum, near the Arch of Severus, and which, when Byron wrote his fourth canto of 'Childe Harold,' was still

Callinicus, 597(?)-602. Smaragdus (second time), 602-611.

Column of Phocas.

'the nameless column with the buried base.'

They know also how, in 1816, an English nobleman's wife [1] caused the base to be unburied, and recovered the forgotten name. It was then found that the inscription on the base recorded the fact that Smaragdus, the Exarch of Italy, raised the column in honour of an Emperor whose innumerable benefits to an Italy, free and peaceful through his endeavours, were set forth in pompous terms. The Emperor's name had been obliterated by some zealous adherent of his successful rival; but there could be no doubt that the name which was originally engraved there in the year 608 was Phocas.

Not to Smaragdus himself was left the humiliating

[1] The Duchess of Devonshire.

task of thus effacing the memorials of his former devotion to a base and cruel prince[1]. It was on the 5th of October, 610, that the brave young African governor, Heraclius, was crowned as Emperor by the Patriarch of Constantinople, and it was probably early in the following year that Smaragdus was recalled for the last time, and a new governor, Joannes[2], took his place. The five years of this Exarch's rule were

Joannes, 611-616.

[1] The following is the text of the inscription on the column of Phocas, as given by Canina, i. 191 :—

(opt)imo . clementis(simo) . (piissi)moque
principi . domino . (n . focae . imperator)i
perpetuo . a . D(e)o . coronato . triumphatori .
semper . Augusto .
Smaragdus . ex . praepos . sacri . palatii
ac . patricius . et . exarchus . Italiae
devotus . ejus . clementiae
pro . innumerabilibus . pietatis . ejus
beneficiis . et . pro . quiete
procurata . Ital . ac . conser(vat)a . libertate
hanc . st(atuam majesta)tis . ejus
aurisplend(ore fulgen)tem . huic
sublimi . colu(m)n(ae ad) perennem
ipsius . gloriam . imposuit . ac . dedicavit
Die . prima . mensis . Augusti indict. . und
P. C. pietatis . ejus . anno . quinto (?)

The chronology seems to require 'quarto' instead of 'quinto.' It will be seen that the column was surmounted by a gilded statue of Phocas.

[2] This governor (whose name is given us by the Liber Pontificalis, and confirmed by Marini's Papiri Diplomatici, 123) is generally called by modern writers *Lemigius Thrax*. I speak doubtfully of a negative proposition, but it seems to me that there is no other authority for this name than the sixteenth-century writer Rubeus, in his History of Ravenna (p. 198). Rubeus has a provoking habit of making assertions of this kind without quoting the source of his information, and till I find some better authority than his, I prefer to leave 'Lemigius Thrax' out of my history. I see that Diehl (Études sur l'Administration Byzantine, p. 173, n. 2) is of the same opinion. He puts Lemigius in brackets.

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marked by no brilliant achievement. He renewed the peace with Agilulf (probably from year to year[1]); he saw probably the Lombard fugitives from the terrible Avar invasion of Istria sweep across the plain, but we hear nothing of this, and are told only of the disastrous termination of his rule. An insurrection seems to have taken place at Ravenna, and Joannes was killed in the tumult[2]. Eleutherius was appointed to succeed him; but when he arrived he found all his district in a flame, and the last remains of Imperial government in Italy apparently on the verge of ruin. For Joannes of Compsa[3], either a general in the Imperial army, or possibly a wealthy Samnite landowner[4] (if any such men were still left in Italy), seeing the apparent dissolution of all the bonds of Imperial authority, took military possession of Naples, and declared himself—Emperor, Exarch, Duke, we know not what—but it was such an usurpation of authority as justified the chronicler from whom we get these facts in calling him 'tyrannus[5].' His usurped

Eleutherius, 616-620.

Rebellion of Joannes Compsinus.

[1] Paulus only mentions one renewal (H. L. iv. 40).

[2] We get a hint of this fact from the Liber Pontificalis: 'Eodem tempore veniens Eleutherius Patricius et Cubicularius Ravenna [*sic*] et occidit omnes qui in nece Joannis Exarchi et Judicibus [*sic*] Reipublicae fuerant mixti' (Vita Deusdedit, p. 319, ed. Duchesne). This certainly looks like a popular insurrection, but does not justify us in positively asserting the fact. The reading 'Judicibus' in the plural, however ungrammatical the construction of the sentence, certainly favours that hypothesis.

[3] Now Conza, about sixty miles due east of Naples. (See vol. v, p. 47.)

[4] This is Muratori's view, confirmed by Weise (p. 275).

[5] See Liber Pontificalis: 'Hic (Eleutherius) venit Roma et susceptus est a sanctissimo Deusdedit Papa optime: qui egressus de Roma venit Neapolim qui [*sic*] tenebatur a Joanne Campsino intarta (?). Qui pugnando Eleutherius patricius ingressus est

rule, however, lasted not long, for 'after not many days' we are told the Patrician Eleutherius expelled and slew him. On his march to the scene of conflict, the new Exarch had passed through Rome, and had there been graciously received by the reigning pontiff Deusdedit, from whose life we derive this information. After the Neapolitan revolt came a renewal of the Lombard war. Agilulf was now dead, but Sundrar, the Lombard general, who had been thoroughly trained by Agilulf in all the arts of war, valiantly upheld the cause of his nation, and struck the Imperial armies with blow upon blow. At last the Exarch found himself obliged to sue for peace, but only obtained it on condition of punctually paying the yearly tribute of five hundred pounds weight of gold (about £22,500 sterling), which (as we are now told) had been promised to Agilulf to induce him to raise the siege of Rome [1].

Exploits of the Lombard general Sundrar.

When peace was thus concluded with the Lombards, Eleutherius, who well knew the necessities of the Emperor Heraclius, at that time hard pressed by the Avars on the North, as well as by the Persians on the East, began to entertain treasonable thoughts of

Rebellion of Eleutherius.

Neapolim et interfecit tyrannum. Reversus est Ravennam et datâ rogâ militibus pax facta est in tota Italia' (loc. cit.). 'Intarta,' which occurs again in the next life, applied to Eleutherius, seems to mean 'usurper.'

[1] 'Eraclius Eleutherium ad tuendam partem Italiae, quam nondum Langobardi occupaverant, mittit.... Eleutherius adversus Langobardos saepe inito bello vincitur per Sundrarium maxime Langobardorum ducem, qui apud Agilulfum bellicis rebus instructus erat. Animum amiserat Eleutherius et cum saepe suorum ruinam cerneret, pacem cum Langobardis facit, eâ tamen conditione, ut quinque centenaria, quae dudum, cum ad obsidendam Romam Agilulfus rex venisset, per singulos annos dare Langobardis statuerant persolverent Romani' (Prosperi Contin. Havniensis).

619.

independent sovereignty. In the fourth year of his rule (619) he assumed the diadem and proclaimed himself Emperor. Though wielding the great powers of Exarch, he was himself but an Eunuch of the Imperial household[1]. That such a man should aspire to be Emperor of the Romans seemed to bring back the shameful days of Eutropius and Arcadius. Eleutherius set forth from Ravenna at the head of his troops for Rome, intending probably to get himself crowned by the Pope[2], and to sit in what remained of the palace of the Caesars on the Palatine. But the ignominy of such a rule was too great even for the degenerate Byzantines who made up the 'Roman' army in the seventh century. When the Eunuch-Emperor had reached the village of Luceoli on the Flaminian Way (a few miles north of the place where his great prototype the Eunuch Narses won his victory over Totila), the soldiers revolted, and slew the usurping Exarch, whose head they sent as a welcome present to Constantinople[3].

Isaac the Armenian, 625 (?)–644.

The next Exarch of whom we have any certain and satisfactory information is Isaac the Armenian, but as he died in 644, and his epitaph records that he ruled Italy for eighteen years, we have about five years unaccounted for, between 620, when we may consider that a new Exarch in succession to Eleutherius would have arrived at Ravenna, and 626 (or rather, probably 625), when the rule of Armenian Isaac seems to have begun. It is possible that this gap should be filled by

Eusebius (?).

[1] Doubtless this is the meaning of 'Eleutherius patricius eunuchus' in the Liber Pontificalis.

[2] Boniface V (619–625), successor to Deusdedit.

[3] [See Hartmann, Gesch. Italiens, ii. 202–3, and Crivellucci Origini dello Stato della Chiesa, p. 28, for a more thorough treatment of this important rebellion.]

the name of a certain Eusebius, who comes before us as the representative of the Emperor in that dark, mysterious story to which I have already referred as containing almost our only information as to the causes of the fall of the young king, Adalwald. The story is thus delivered to us by the anonymous Burgundian historian who is conventionally known as 'Fredegarius[1].'

Story of the fall of Adalwald as told by 'Fredegarius,' 624.

'In that same fortieth year of Chlotharius [Chlotochar II, king of the Franks, whose accession was in 584], Adloald, king of the Lombards, son of king Ago [Agilulf], after he had succeeded his father in the kingdom, received with kindness an ambassador of the Emperor Maurice[2], named Eusebius, who came to him in guile. Being anointed in the bath with certain unguents whose nature I know not, he thenceforward could do nothing else but follow the counsels of Eusebius. Under his persuasion he set himself to slay all the chief men and nobles in the kingdom of the Lombards, intending, when they were put out of the way, to hand over to the Empire himself and all the Lombard nation. But after he had thus slain with the sword twelve of their number for no fault assigned, the rest of the nobles, seeing that their life was in danger, chose Charoald [= Ariwald], duke of Turin, who had to wife Gundeberga, sister of King Adloald, and all the oldest and noblest of the Lombards conspiring in one design raised this man to the kingdom. King Adloald, having received poison, perished.'

Letter from Pope Honorius to Isaac.

And at this point we get a side-light on these mysterious events from the correspondence in the Papal

[1] iv. 49, 50.

[2] This is a dismal blunder. Maurice was killed in the year 602, twenty-two years before the time of which the chronicler is here speaking.

625.

chancery. Pope Honorius I, who succeeded Boniface V in November, 625, addressed a letter, apparently in the early months of his pontificate[1], to Isaac, the new Exarch of Ravenna. In this letter[2] the Pope says that he has learned with regret that some bishops in the regions beyond the Po have embraced the cause of the usurper so warmly that they have spoken most un-episcopal words to Peter, son of Paul, declaring that they will take on their consciences the guilt of his perjury if he will agree with them not to follow Adulubald, but the tyrant Ariopalt[3]. 'The glorious Peter' (he is evidently some layman high in office) 'has scorned their words, and persists in holding fast the faith which he swore to Ago, father of the aforesaid Adulubald; but the crime of the bishops, whose advice should have been given on the other side to strengthen him in his observance of his oath, is none the less odious to the Pope; and as soon as, by the decree of Providence, Adulubald has been restored to his kingdom, he desires the Exarch to send the offending bishops into the regions of Rome, that they may be dealt with according to their sins[4].'

Death of Adalwald.

But the pious hopes of Honorious for the triumph of the righteous cause were not fulfilled. King Adalwald died of poison, and a modern historian[5] unkindly insinuates that the fatal draught was administered by

[1] Jaffi and Ewald assign this letter of Honorius I to December, 625.

[2] Copied by Troya, iv. 1. 591.

[3] The reader will observe what trouble these Lombard names gave to the scribes in the Papal chancery.

[4] 'Cum nutu supernae virtutis Adulubaldus in suum regnum fuerit restitutus, praefatos Episcopos in Romanas partes adjuvante vos Deo destinare dignamini, quia hujusmodi scelus nulla patiemur ratione inultum.'

[5] Weise, p. 284.

order of Isaac, desirous to rid himself of a guest whose unwelcome presence at his court was certain to involve him in disputes with the new Lombard king. Of this, however, we have no hint in our authorities, and we must be careful not to record our imaginations as facts. Only so much can we safely say as to this mysterious passage in Lombard history, that the young king fell in some strange way under the power of a certain Eusebius, who is called an ambassador, but who may have been sent as an Exarch into Italy; that the voluptuous character of Roman civilization (not idle here is the allusion to the *bath* as the medium of enchantment) proved too much for the brain of the Teuton lad, who lent himself with fatuous readiness to all the sinister purposes of his treacherous friend[1]. It was not a case of Catholic against Arian, otherwise the Transpadane bishops (though probably upholders of the Three Chapters) could hardly have supported so vigorously the cause of the usurper. But it probably was a plan such as Theodahad the Ostrogoth, Huneric the Vandal, Hermenigild the Visigoth, conceived, and such as very likely other weak-brained barbarian kings had often dallied with, of surrendering the national independence, and bartering a thorny crown for the fattened ease of a Byzantine noble. The plan, however, failed. Adalwald lost his crown and life. The Exarch Eusebius (if Exarch he were) was recalled to Constantinople, and succeeded by Armenian Isaac, and Ariwald, son-in-law of Agilulf and Theudelinda, sat, apparently with the full consent of the people, on the Lombard throne. The chronology of all these events is some-

[1] A modern student of mental disease would perhaps see in the story of Adalwald an instance of crimes committed by 'suggestion.'

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what uncertain; but on the whole it seems probable that the strife between Adalwald and his successor, if it began in 624, lasted for about two years, and that it was not till 626 that the death of the former left Ariwald unquestioned ruler of the Lombard people.

Silence of the historians as to Theudelinda's part in this revolution.

And Theudelinda, the mother of the dethroned and murdered king, what was her part in the tragedy? It is impossible to say. No hint of interference by her for or against her unhappy son has reached our ears. If it be true, as 'Fredegarius' tells us, that the successful claimant was husband of her daughter, it is easy to conjecture the motives which may have kept her neutral in the strife. But she did not long survive her son. On the 22nd of February, 628 [1], the great queen passed away. She left her mark doubtless on many other Italian cities, but preeminently on the little town of Modicia (*Monza*), where she and her husband loved to spend the summer for the sake of the coolness which came to them from the melting snows of Monte Rosa. Here she built the palace on whose pictured walls were seen the Lombards in that Anglo-Saxon garb which they brought from their Pannonian home [2]. Here, too, she reared a basilica in honour of John the Baptist, which she adorned with many precious ornaments of gold and silver, and enriched with many farms [3]. The church has been more than once rebuilt, but there may perhaps still remain in

Her death, 628.

[1] Possibly 627; but on the whole the inscription, which assigns her death to the year 628, and which a certain Tristan Calchus asserts that he saw in ancient letters on the wall of a church in Monza (he says Moguntiacæ, but evidently means Modoetiensis), seems to be the best information that we have on the subject. See Troya, iv. 2. 1, and Weise, p. 285.

[2] See vol. v. p. 154.

[3] Paulus, H. L. iv. 21.

it some portions of the original seventh-century edifice of Theudelinda, and in its sacristy are still to be seen not only the Iron Crown of the Lombards but the gold-handled comb of Theudelinda, and the silver-gilt effigies of a hen and chickens which once probably served as a centrepiece for her banquet table[1].

Ariwald king of the Lombards, 626-636.

Of the ten years'[2] reign of Ariwald after his rival's death Paulus honestly confesses that he has nothing to relate[3]. We have again to draw on the inaccurate but contemporary historian 'Fredegarius' for information as to two events which made some stir in the court of Pavia during his reign, the degradation of a queen, and the murder of a Lombard duke.

[1] Mr. Lund, in his book 'Como and the Italian Lake-land,' p. 91, says, 'There is a tradition that after her patriotic labours Theudelinda sought rest, and at last ended her days in the old castle which crowns the hill beyond Varenna' (on Lake Como); I give the tradition, to be taken for what it is worth.

[2] Paulus (H. L. iv. 42) gives Ariwald twelve years, and the VII attributed to him in one MS. of the Origo (§ 6) are probably a corruption of XII. But as Rothari's reign was undoubtedly begun not later than 636, these twelve years are probably reckoned from 624, the date of the first elevation of Ariwald.

[3] 'De cujus gestis ad nostram notitiam aliquid minime pervenit.' (H. L. iv. 41). [With reference to the reign of Ariwald, Hartmann (Gesch. Italiens, II. i. p. 209) quotes from the life of Abbot Bertulf by Jonas a passage to the effect that a (schismatic) bishop of Dertona besought the King Ariwald to assign to him the visitatorial power over the monastery of Bobbio. The king said that he would be no judge of such matters. The Abbot Bertulf appealed to Rome, and the consequence was that Bobbio was removed from the jurisdiction of that bishop and put under the immediate jurisdiction of the Holy See.

Another passage which should also be here noted is that of 'Fredegarius' (iv. 68). He states that the Lombards with the Alamanni helped Dagobert in his campaign against the Wends under Samo, and that they were victorious while he was defeated. For this incident see Hartmann, Gesch. Italiens, II. i. p. 236.]

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Fredegarius' story of Queen Gundiperga and Taso 'duke of Tuscany.'

Gundiperga [1] (as Paulus calls the wife of Ariwald) was a lovely and popular queen, zealous for the faith, and abounding in works of charity to the poor. But there was a certain Lombard nobleman named Adalulf, who was frequently in the palace, being busied in the king's service; and of this man the queen in the innocence of her heart chanced one day to say that Adalulf was a man of goodly stature. The favoured courtier hearing these words, and misreading the queen's character, presumed to propose to her that she should be unfaithful to her marriage vow, but she indignantly scorned the proposal, and spat in the face of the tempter. Hereupon, fearing that his life would be in danger, Adalulf determined to be beforehand with his accuser, and charged the queen with having three days previously granted a secret interview to Taso, the ambitious duke of Tuscany, and having at that interview promised to poison her present husband, and raise Taso to the throne. Ariwald (or Charoald, as 'Fredegarius' calls him), believing the foul calumny, banished his queen from the court, and imprisoned her in a fortress at Lomello.

More than two years Gundiperga languished in confinement; then deliverance reached her from a perhaps unexpected quarter. Chlotochar II, king of the Franks, sent ambassadors to Ariwald, to ask why such indignities were offered to the Lombard queen, who was, as they said, a relation of the Franks [2]. In reply

[1] Fredegarius (iv. 51) calls her Gundeberga. We notice the Lombard tendency to sharpen *molles* into *tenues*.

[2] 'Parentem Francorum.' [It is not quite clear how this claim of Frankish kinship for Gundiperga was made out. If the conclusions of Quitzmann (see vol. vii. p. 66, note 1) are accepted, Garibald, the maternal grandfather of Gundiperga, though duke

Ariwald repeated the lies of Adalulf as if they were true. Then one of the Frankish ambassadors, Answald by name, suggested on his own account, and not as a part of his master's commission, that the judgment of God should be ascertained by two armed men fighting in the lists, and that the reputation of Gundiperga should be cleared or clouded according to the issue. The counsel pleased Ariwald and all the nobles of his court. The cause of Gundiperga was now taken up by her two cousins, Gundipert and Aripert (the sons of her mother's brother Gundwald), and, perhaps hired by them, an armed man named Pitto entered the lists against Adalulf. The queen's champion was victorious; her traducer was slain, and she, in the third year of her captivity, was restored to her royal dignity.

Ariwald and the Exarch Isaac conspire for the murder of Taso.

But though King Ariwald was convinced that he had done his gentle queen injustice, his suspicion of the treasonable designs of the Tuscan Duke Taso remained, and was perhaps not without foundation. In the year 631[1] he sent ambassadors to the patrician Isaac, asking him to kill Duke Taso by any means that were in his power. If the Exarch would confer this favour upon him, the Lombard king would remit one of the three hundred-weights of gold which the Empire was now by treaty bound to pay to him. The proposition stirred the avaricious soul of Isaac, who

of Bavaria, may be regarded as a Frank by descent. Moreover, Walderada, her grandmother, had been the wife of two Frankish kings, Theudebald I and Chlotochar I, and, though she had no issue by either, the connexion may have been considered to entitle her children, even by another husband, to claim kindred with Frankish royalty. (See vol. v. p. 285, and Weise, pp. 104–112.)]

[1] The ninth year of the Frankish king Dagobert I (counting from his accession, not from his father's death). (Fred. iv. 67–9.)

at once began to cast about for means to accomplish the suggested crime. He sent men to Taso, bearing this message: 'I know that you are out of favour with King Ariwald, but come to me and I will help you against him.' Too easily believing in the Exarch's goodwill, Taso set out for Ravenna, and with fatal imprudence left his armed followers outside the gate of the city. As soon as he was well within the walls, the assassins prepared for the purpose rushed upon him and slew him. News of the murder was brought to King Ariwald, who thereupon fulfilled his promise, and graciously consented to remit one third of the usual tribute 'to Isaac and the Empire [1].' Soon after these events [2] King Ariwald died.

No doubt there are some improbabilities in the story thus told by 'Fredegarius' as to the murder of Taso, and possibly Pabst is right in rejecting it altogether [3]. The name and the circumstances look suspiciously like a repetition of the story told by Paulus of the assassination of Taso of Friuli [4], and the title 'Dux Tusciae' is almost certainly wrong, for, at any rate a little later on, there was more than one duke in 'Tuscia [5].' On the other hand, it is possible that two men of the name of Taso (not an uncommon name among the Lombards) may have been murdered by a treacherous Roman governor, and it is also possible, if the two stories describe the same event, that the contemporary though alien 'Fredegarius' may have heard a more correct version than the native but much later historian Paulus.

[1] 'Partibus Isaciae et emperiae.'

[2] Five years, if our chronology be correct.

[3] Geschichte des Langobardischen Herzogthums, p. 430.

[4] See p. 59.

[5] Dukes of Lucca and Clusium.

Gundiperga weds Rothari and raises him to the throne.

On the death of Ariwald, if we may trust 'Fredegarius,' the precedent set in the case of Theudelinda was repeated, and the widowed queen was asked to decide for the Lombard nation as to his successor. Her choice fell on Rothari[1], duke of Brescia, whom she invited to put away his wife and to be joined with her in holy matrimony. Rothari swore by all the saints to love and honour Gundiperga alone, and thereupon by unanimous consent of the nobles was raised to the throne. Both queen and nobles, however, if 'Fredegarius' is to be believed, had soon reason to repent of their choice. He drew tight the reins of discipline (which had probably been relaxed under the reign of the usurper Ariwald), and, 'in pursuit of peace,' struck terror into the hearts of the Lombards, and slew many of the nobles, whom he perceived to be contumacious[2]. Forgetful also of his solemn promises to Gundiperga, and perhaps partly influenced by dislike to her Catholic ways (he being himself an Arian), he confined her in one little room in the palace of Pavia, and forced her to live there in privacy, whilst he himself held high revel with his concubines. She however, 'as she was a Christian woman,' blessed God even in this tribulation, and devoted herself continually to fasting and prayer. The chronicler makes no mention of the earlier

[1] [The Frankish Chrotacharius and Chrotharius are exactly the way in which the Lombard name represented by Rothari would be written by a Frank; the *ch* represents the initial *h*, which in the Lombard MSS. is not aspirated. Both represent a Germanic name Hroða-hari, in O.E. Hroð-here.]

[2] 'Chrotharius cum regnare cepissit multus nubilium Langobardorum, quos sibi sinserat contomacis interfecit. Chrotharius fortissemam disciplinam et timorem in omnem regnum Langobardorum pacem sectans fecit' (Fredegarius, iv. 70). I leave Fredegarius' grammar and spelling as I find them.

divorced wife of Rothari, but one would fain hope that the remembrance of that injured woman's wrongs helped to reconcile Gundiperga to her own fate, and gave reality and truth to her words of penitence. At length, after five years of seclusion, an embassy from the Frankish king, Clovis II[1], again brought the wrongs of this 'relation of the Franks' before the notice of the Lombard ruler. Again the Frankish intercession prevailed, and Gundiperga, being brought forth from her seclusion, wore once more her regal ornaments, and sat in the high seat by the side of her lord. All the farms and other possessions of the royal fisc belonging to her, which had been apparently impounded during her seclusion, were restored to her, and to the day of her death she lived in queenly splendour and opulence. Aubedo, the Frankish ambassador who had so successfully pleaded her cause, received in secret large rewards from the restored queen[2]. This is the last that we hear of Queen Gundiperga, who probably died somewhere about the middle of the seventh century. As her mother had done at Monza, so she at Pavia reared a basilica in honour of St. John the Baptist, which she adorned with lavish wealth of gold and silver and precious vestments. There, too, her corpse was interred.

[1] Son of Dagobert I, grandson of Chlotochar II.

[2] In the passage of 'Fredegarius' (iv. 71) which gives us this information we are told that the Frankish ambassador arrived at 'Papia coinomento (cognomine) Ticino, civitatem Aetaliae (Italiae).' If I am not mistaken, 'Fredegarius' is the earliest author who mentions Ticinum by its modern name Papia (= Pavia). The editor of 'Fredegarius' (Bruno Krusch) makes the obvious suggestion that this story looks like a mere repetition of that previously told as to Gundiperga's disgrace during the reign of her first husband. But, on the other hand, it is possible that both events actually occurred.

The careers of these two women, mother and daughter, Theudelinda and Gundiperga, present some points of resemblance and some of striking contrast. Each was twice married to a Lombard king; each was entrusted by the nation with the choice of a successor to the throne; one saw a son exiled and slain, the other a brother; each was the Catholic wife of an Arian husband, but one apparently preserved to her death the unswerving loyalty of the Lombard people, while the other had twice to undergo imprisonment, and once at least the stabs of cruel calumny. Their united lives extended from Alboin to Rothari, from the first to the last Arian king of Italy, and covered the whole period of an important ecclesiastical revolution—the conversion of the Lombards to the Catholic form of Christianity.

Rothari's character as pourtrayed by Paulus.

We have hitherto seen only the unfavourable side of the character of Gundiperga's second husband. We may now listen to the more favourable testimony of Paulus, who says [1], 'The kingship of the Lombards was assumed by Rothari, by birth an Arodus. He was a man of strong character, and one who followed the path of justice, though he held not the right line of the Christian faith, being stained by the infidelity of the Arian heresy. For in truth the Arians, to their own great harm and loss, assert that the Son is inferior to the Father, and the Holy Spirit inferior to the Father and the Son; but we Catholics confess the Father, and the Son, and the Holy Spirit to be one true God in three persons, with equal power and the same glory. At this time in almost all the cities of the realm there were two bishops, one a Catholic,

His Arianism.

[1] H. L. iv. 42.

the other an Arian. In the city of Ticinum the place is still shown where the Arian bishop had his baptistery, residing near the basilica of St. Eusebius, while another bishop resided at the Catholic church. However, the Arian bishop who was in that city, Anastasius by name, being converted to the Catholic faith, afterwards ruled the Church of Christ. This King Rothari arranged in a series of writings the laws of the Lombards, which they were retaining only in memory and by practice, and ordered that the Edict thus prepared should be called a Code[1]. But it was now the seventy-seventh[2] year since the Lombards had come into Italy, as the same king has testified in the prologue to his edict.'

His legislation.

Rothari's conquests in the Riviera and Venetia.

'Now King Rothari took all the cities of the Romans which are situated on the sea-coast from Luna in Tuscany up to the boundary of the Franks. In the same way also he took and destroyed Opitergium [*Oderzo*], a city placed between Treviso and Friuli; and with the Romans of Ravenna he waged war at the river of Aemilia, which is called Scultenna [*Panaro*]. In which war 8000 fell on the side of the Romans, the rest taking flight[3].'

It is evident that we are here listening to the exploits of one who, however harsh a ruler either of his nobles or of his wife, did at least know how to rule successfully. His conquests from the Empire are hardly less extensive than those of Agilulf. Genoa and

[1] 'Hic Rothari rex Langobardorum leges quas solâ memoriâ et usu retinebant, scriptorum serie composuit codicemque ipsum edictum appellari praecepit.'

[2] Really the seventy-sixth year, according to the MSS. of the Edict and the true chronology.

[3] H. L. iv. 42-45.

the coast of the Riviera ('di Ponente' and 'di Levante') are wrested finally from the grasp of Constantinople. Oderzo is taken, and its walls are demolished. So must we understand the word used by Paulus in this place[1], since the utter destruction of Opitergium[2] is placed by him about twenty-five years later, and is attributed to another king of the Lombards, Grimwald[3]. Finally, Rothari wins a great victory over the forces of the Exarch on the banks of the river which flows past Modena, and perhaps at the very point where it intersects the great Emilian highway.

Rothari's victories over Isaac of Armenia.

These victories were probably won at the expense of Isaac of Armenia, whose eighteen years' tenure of the Exarchate (625–644) included one half of the reign of Rothari. Visitors to Ravenna may still see the stately sarcophagus of this Byzantine governor of fragments of Italy, which i placed in a little alcove behind the church of S. Vitale. Upon the tomb is carved an inscription in twelve rather halting Greek iambics, with a poor modern Latin translation. The inscription may be rendered into English thus:—

Isaac's epitaph.

'A noble general here is laid to rest,
Who kept unharmed Rome and the Roman West.
For thrice six years he served his gentle lords,
ISAAC, ally of kings, this stone records.
The wide Armenia glories in his fame,
For from Armenia his high lineage came.
Nobly he died. The sharer of his love,
The chaste SUSANNA, like a widowed dove
Will spend her rest of life in ceaseless sighs.
She mourns, but his long toil hath won its prize,
Glory alike in East and Western Land,
For either army owned his strong command.'

[1] 'Diruit.'

[2] 'Funditus destruxit.'

[3] H. L. v. 28.

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It is not difficult to read through the conventional phrases of this vapid epitaph the unsuccessful character of Isaac's Exarchate. Had there been any gleam of victory over the Lombard army, the inscription would have been sure to record it. As it is, the utmost that can be said of him is that he 'kept Rome and the West unharmed,' but if our reading of his history be correct, he probably kept the beautiful Riviera unravaged by surrendering it to the enemy.

Events of Isaac's Exarchate.

Some of the events of Isaac's government of Italy, to which his epitaph makes no allusion, are brought before us by the meagre narratives of the Papal biographer[1].

Death of Pope Honorius, October 10, 638.

It was in 638, six years before the death of Isaac, that his old correspondent, Pope Honorius, died. A Roman ecclesiastic, Severinus, was chosen as his successor, and the Exarch, who had at this time the right of approval of the Papal election, sent the *Chartularius*[2], Maurice (by whose advice, we are told, he wrought much evil), as his representative to Rome. Maurice, taking counsel with some ill-disposed persons, stirred up 'the Roman army' (that is, probably, the civic militia) by an inflammatory harangue concerning the wealth of the Papacy. Pointing to the episcopal palace of the Lateran, he exclaimed, 'What marvel that you are poor when in that building is the hoarded wealth of Honorius, to whom the Emperor, time after time, sent your arrears of pay, which he, holy man

Strange proceedings of the *Chartularius*

Maurice at Rome, 638.

[1] 'Liber Pontificalis' in Vitae Severini et Theodori.

[2] Diehl (Administration Byzantine, 155) discusses at some length the functions of the *Chartularius*, but is obliged to leave the problem unsolved. Evidently *this* Chartularius was a man in high office.

that he was, heaped up in the treasure-chambers of yon stately palace.' At these words burning resentment against the Church filled all hearts, and the whole body of citizens, from the greybeard down to the stripling, rushed with arms in their hands to the Lateran palace. They were, however, unable to force an entrance, so strongly was it guarded by the adherents of Severinus. For three days the armed band besieged the Lateran, and at the end of that time Maurice, having persuaded the 'Judges' (that is, the civil authorities of the City) to accompany him, claimed and obtained admission to the palace. Then he sealed up all the rich vestments which he found in the Church's wardrobe and all the treasures of the Lateran palace, 'which Emperors, Patricians and Consuls had left, for the redemption of their souls, to the Apostle Peter, to be employed in almsgiving and the redemption of captives.' Having done this, he wrote to the Exarch Isaac that all was ready and he might now come and help himself at his leisure to the splendid spoil. Soon Isaac arrived, and immediately banished the leading clergy to various cities of Italy. Having thus disarmed ecclesiastical opposition, he proceeded to take up his dwelling in the Lateran palace, where he abode eight days, calmly appropriating its wealth of centuries. To the indignant members of the Papal household the spoliation must have seemed not less cruel and even more scandalous (as being wrought in the name of a Roman Emperor) than that celebrated fortnight of plunder when Gaiseric and his Vandals stripped the gilded tiles from the roof of the Capitol. Part of the booty Maurice sent to Heraclius, thus making the Emperor an accomplice in his deed. The

Isaac's spoliation of the Lateran.

BOOK VII. CH. 4.

640.

soldiers may have received their arrears of pay out of the proceeds of the plunder, but assuredly no contemptible portion found its way to the Exarch's palace at Ravenna, whence it may have been transported by the widowed dove Susanna, after her husband's death, to their Armenian home.

Papal succession: Severinus, 640; John IV, 640-642; Theodore, 642-649.

Pope Severinus, after this act of spoliation, was installed by the Exarch in St. Peter's chair, but died little more than two months after his elevation [1]. Another short pontificate [2] followed, and then Theodore succeeded to the Papacy—a Greek by birth, but as stout as any Roman for the defence of the Roman see against the Patriarchs of Constantinople. In his pontificate Isaac and Maurice reappear upon the scene in changed characters. The Chartularius again visited Rome, again allied himself with the men who had helped him in his raid upon the treasures of the Church, and persuaded the soldiers in the City and the surrounding villages to swear fidelity to him and renounce their allegiance to Isaac, whom he accused of seeking to establish an independent throne. The Exarch, however, whether loyal or not to the Emperor, showed himself able to cope with his own rebellious subordinate. He sent Donus the *Magister Militum* and his treasurer to Rome, doubtless with a considerable body of troops. At once all the 'Judges' and

Rebellion of Maurice, 643 (?).

[1] The long interval (one year, seven months, and seventeen days) between the death of Honorius and the installation of his successor was perhaps due to negotiations with Constantinople about the Monothelete controversy, as well as to the troubles described above. It is interesting to read in the Liber Pontificalis that Pope Severinus renewed the mosaics in the apse of St. Peter's.

[2] That of John IV (640–642).

643-4.

the Roman militia, who had just sworn fealty to Maurice, struck with fear, abandoned his cause and gave in their adhesion to his enemy. On this Maurice fled for refuge to the church of S. Maria Maggiore [1], but being either forced or enticed from that sanctuary was sent, with all his accomplices, heavily chained with collars of iron [2], to Ravenna. By the Exarch's orders, however, he was not suffered to enter the city, but was beheaded at a place twelve miles distant [3], and his head, the sight of which gladdened the heart of the Armenian, was exhibited in the circus of Ravenna. His followers, with the iron collars still round their necks [4], were led away into strict confinement while Isaac revolved in his mind the question of their punishment. But before he had decided on their fate, he himself died, 'smitten by the stroke of God,' and the liberated captives returned to their several homes. Isaac was succeeded in the Exarchate by Theodore Calliopas, who was twice the occupant of the palace at Ravenna. In his second tenure of office Italy witnessed strange scenes—the banishment of a Pope and the arrival of an Emperor; but the description of these events must be reserved for a future chapter.

Death of Isaac.

Theodore Calliopas Exarch, 644-646 and 653-664.

[1] 'Fugit ad Beatam Mariam *ad Praesepe*.' [According to tradition, the manger (*praesepe*) in which our Lord lay is preserved in this church. It is cased in silver and carried round the church in procession on Christmas Eve. (See 'Tablet,' Sept. 1, 1895).]

[2] 'Miserunt *bojam* in collum ejus' (Lib. Pont.).

[3] Called Ficulae.

[4] 'Imbojati.'

CHAPTER V.

THE LEGISLATION OF ROTHARI.

Authorities.

Sources:—

ROTHARIS LEGES as given in Muratori, Rerum Italicarum Scriptores (Tom. I. Pars II), and Troya's Storia d'Italia (Vol. IV. Parte II). There are slight differences in the text between these two editions, and the laws are not always numbered in the same way. I have generally followed Troya's numbering.

Guides:—

Carl *Meyer's* Sprache und Sprachdenkmäler der Langobarden (Paderborn, 1877) furnishes us with a useful glossary and careful orthography of the strange Lombard words to be met with in the Code. I have also found the Histoire de la Législation des Anciens Germains par Garabed Artin *Davoud Oghlou* (Berlin, 1845) a great help in classifying and comparing the Lombard laws. The author was of Armenian extraction and born at Constantinople. It is not often that the East gives us a scholar who so patiently investigates the history of Western Europe.

IN the last chapter we were concerned with the external events of the reign of Rothari, who for sixteen years (636–652) wore the Lombard crown. Our information as to those events is certainly meagre and unsatisfactory enough, but the main interest of the reign for us is derived from a feature of its internal politics, the fact, namely, that Rothari was the first great legislator of his people.

Rothari as legislator.

The Lombards had now been for two generations encamped on the soil of Italy, yet during all that

time, as Paulus tells us, their laws had lived but in the memory of unlettered judges, who remembered only so much as frequent practice rendered familiar [1]; and this, in a country which had been subject to the most scientific system of jurisprudence that the world has ever seen, and had witnessed its gradual development from the Laws of the Twelve Tables to the Code, the Institutes, and the Digest of Justinian.

Publication of his Code, Nov. 22, 643.

It was time that this reproach should be in some measure removed from the Lombard nation, and accordingly on November 22 [2], 643, King Rothari published to the world his 'Code' in 388 chapters, written by the hand of the notary Answald [3]. The Prologue of this monument of barbarian jurisprudence is worth quoting:—

Prologue.

'In the name of our Lord Jesus Christ begins the Edict which with God's help the most excellent man Rothari, king of the Lombards, hath renewed, with the nobles who are his judges [4]. In the name of Almighty God, I, Rothari, most excellent man and king; and seventeenth king of the nation of the Langobardi; by the blessing of God in the eighth year of my reign, and the thirty-eighth of my age, in the second Indiction; and in the seventy-sixth year after the Langobardi marching under Alboin, at that

[1] 'Leges quas solâ memoriâ et usu retinebant.' H. L. iv. 22. See also the extract from the Chronicus Gothanum (vol. v. p. 148), where the mysterious word *cadarfida* is used, apparently of the unwritten 'common law' of the Lombards.

[2] See § ccclxxxviii. of the Code.

[3] [Written *Arsoaldi* (gen.) in the prologue, probably a clerical error for *Ansoaldi*, which occurs elsewhere. The MS. is tenth century.]

[4] 'Renovavit cum primatos judices suos.'

BOOK VII. Ch. 5. 643.

time their king, were brought by divine power into the province of Italy; prosperously given forth in my palace at Ticinum [1]:—

'How great has been our care and anxiety for the welfare of our subjects, the tenour of the following Edict will declare: both on account of the constant oppressions of the poor, and also on account of the extravagant exactions from those who are known to have larger property, but how they suffer violence we well know [2]. Therefore, considering the compassion of Almighty God, we have thought it necessary to correct the present law, [inviting] our chief men to renew and amend it, adding that which is lacking, and removing that which is superfluous. And we have provided that it shall be all embraced in one volume, that each one may have permission to live quietly, according to law and justice, to labour against his enemies on behalf of his own opinion [3], and to defend himself and his borders.

'Therefore, since these things are so, we have judged it useful to preserve to future ages the memory of the names of the kings our predecessors, from the time when kings first began to be named in the Lombard nation, as far as we have been able to learn them from ancient men, and we have ordered the Notary to affix them to this parchment.'

[1] The want of grammatical construction in the original is imitated in the translation.

[2] 'Tam propter assiduas fatigationes pauperum quam etiam superfluae exactiones ab his qui majorem virtutem habere noscuntur, quomodo vim pati cognovimus.' Once for all—correct grammar is not to be looked for in the Lombard laws.

[3] 'Propter opinionem contra inimicos laborare.' Have we here a hint of the necessity of mutual toleration between Catholic and Arian?

Then follow the names of sixteen kings, with the families from which they sprang[1]. In the seventeenth place he names himself, 'I, who as aforesaid am in God's name King Rothari,' and he recounts the uncouth names of his progenitors belonging to the family Harodos through twelve generations[2]. He then proceeds:—

[1] These names (which I give according to the recension in Meyer's Sprache der Langobarden) are nearly but not quite the same as those given in the Origo, which where they vary are here inserted in brackets. They are—

1. AGILMUND, of the family Regugintus (Gugingus).
2. LAAMISIO (LAJAMICHO).
3. LETH (LETHUC).
4. HILDEOCH (ALDIHOC).
5. GUDEOCH (GODEHOC).
6. CLAFFO.
7. TATO. Winigis.
8. WACHO.
9. WALTHARI (WALTARI), son of WACHO.
10. AUTHARI or AUDOIN, of the family of Gaisus (Gausus).
11. ALBOIN, son of AUDOIN, who, as aforesaid, led the army into Italy.
12. CLEPH, of the family Beleos.
13. AUTHARI.
14. AGILULPH (ACQUO): a Thuringian of the family of Anawas.
15. ADALWALD.
16. HARIWALD (AROAL), of the family of Caupus.

[2] Pedigree of Rothari of the family of Harodos:—

Rothari's pedigree.

USTBORA
|
MAMMO
|
FACCHO
|
FRONCHONO
|
WEO
|
WEHILO
|
HILTZO
|
ALAMAN
|
ADHAMUND
|
NOCTZO
|
NANDINIG
|
ROTHARI

BOOK VII. Ch. 5.

'And this general order we give lest any fraud creep into this Edict through the carelessness of copyists. But it is our intention that no such copies be received or have any credit except such as are written or certified[1] (?) on request by the hand of Arswald, the notary who has written it by our orders.'

The reader will not expect nor desire that in this book, which is not a law-book but a history, I should give a complete analysis of the 388 chapters, short as they are, which make up the Code of Rothari. I will only notice those provisions of the Code which illustrate the condition of Lombard society, will quote some of the curious words which the barbarians from beyond the Danube added to the vocabulary of Latium, and above all will notice any provision—if such is to be found in the Code—which illustrates in the most remote manner the condition of the conquered Romans under their Lombard lords. The importance of calling attention to this point (which is connected with one of the most difficult questions in the whole history of the Middle Ages) will abundantly appear in a later chapter. The reader must not look for anything like orderly arrangement or scientific division of the field of law. It would not be the Lombard Code if it possessed either of these qualities.

Offences against the king and his peace, i-xxv.

The Code begins with offences against the person of the king and the peace of the state. The conspirator against his life, the inviter of his enemies into the kingdom, the harbourer of brigands[2], the exciter of the soldiers to mutiny, the treacherous officer who deserts his comrades on the field of battle, are all to be punished with death.

[1] *Reconditum.*

[2] *Scamarae.*

But on the other hand, the man who takes counsel with the king himself concerning the death of one of his subjects, or who actually slays a man by the royal order, is to be held guiltless, and neither he nor his heirs are to suffer any disquietude by reason of the murder, because 'the king's heart is in the hand of God, and it is not possible for a man to escape[1] whom he has ordered to be slain.' If one man accuses another of a capital offence, the accused may appeal to the *camfio*[2], or wager of battle. If he fail his life may be forfeited, but if his accuser fail he must pay the *guidrigild*, or price of blood, of which half shall go to the king, and half to the man whom he has slandered[3]. This word *guidrigild* is explained shortly after. If two free men without the king's order have plotted together as to the death of a third, and have carried their intention into effect, he who was the actual murderer shall compound for the dead man according to the price fixed, 'that is to say, his *guidrigild*[4].' If many persons of honourable birth have conspired together to kill a man, they shall be punished in *angargathungi*. This barbarous word is explained as meaning that they shall compound for the murder according to the rank of the person slain[5]. If they

The *guidrigild* (=weregild).

[1] 'Se edoniare' = idoneum se facere, to purge himself from guilt; l. 2.

[2] The German *Kampf*.

[3] l. 9.

[4] 'Tunc ille qui homicida est componat ipsum mortuum sicut appretiatus fuerit, id est *guidrigild* suum' (l. 11).

[5] l. 14: 'Si vero plures fuerint, si ingenui fuerint, qualiter in angargathungi id est *secundum qualitatem personae* ipsum homicidium componant.' Meyer (Sprache der Langobarden, p. 278) explains *gathungi* as = worth, dignity; and *angar* = land. The whole expression according to him denotes 'the value of a person as depending on the amount of his possessions in land.'

have carried off plunder from the dead man's body, that is a plain case of *ploderaub*[1], or robbing the dead, and must be atoned for by a payment of 80 solidi (= £48).

'If any of our barons,' says Rothari, 'wishes to come to us[2], let him come and go in safety and unharmed. Any one doing him any injury on the road shall pay a composition according to the terms set forth below in this Edict[3].' We note this early appearance of the word 'barons' without venturing to define its exact value.

Offences on the king's highway, xxvi–xxviii.

Laws 26–28 provide for the security of travellers by the highway, under the strange title, 'De *Wegworin* id est *horbitariam*.' The German word (derived from *wec* = way, and *werran* = to block or hinder) explains itself pretty easily as an obstruction of the high road. Its Latin equivalent is the aspirated form of the word which we use for the *orbit* of a planet. As to those sturdy rogues who do violence to travellers on the highway, the law is that 'if any one shall place himself in the way before a free woman or girl, or do her any injury, he shall pay 900 solidi (£540), half to the king, and half to her to whom the injury shall have been done, or to the person to whom the right of protecting her (*mundium*) belongs.' This *mundium*, or claim to represent the rights of a female relative, is a word which we shall meet with again later on.

'If any one shall place himself in the way before

[1] *Blutraub*, blood-theft. The reader will observe the Lombard form of these words, with its beautiful exemplification of Grimm's Law.

[2] 'Si quis ex baronibus nostris ad nos venire voluerit' (l. 17).

[3] The fine is apparently fixed by the next law at 900 solidi (£540).

a free man, he shall pay him 20 solidi (£12), always supposing that he has not done him any bodily injury. If he have, he shall pay for the wounds or blows which he has inflicted according to the rate to be hereafter mentioned, and shall also pay the 20 solidi for stopping him on the highway[1].'

'If any one shall place himself in the way before another man's slave or handmaid, or *Aldius*, or freedman, he shall pay 20 solidi to his lord[2].'

The Aldius or half-free man.

This word *Aldius*, which we shall meet with again in the laws of Rothari, might introduce us to a long and difficult controversy, which I shall not enter upon at this time. It is clear that the *Aldius* was in a state of imperfect freedom. He is named between the slave and the freedman, and his claim for damages from the highway robber is not paid to himself, but handed over to his lord. It is suggested that the vast mass of formerly free 'Romans,' or non-Lombard inhabitants of Italy, were reduced by the conquest to this condition of *Aldionate*, a suggestion which for the present shall neither be accepted nor rejected, but which I will ask the reader to bear in mind when next the word *Aldius* meets him in Rothari's Code.

The crime of *Walapauz* (disguise assumed for criminal purposes), xxxi.

Law 31 is headed *De Walapauz*: 'If any man shall unjustly do violence to a free man by way of *walapauz*, he shall pay him 80 solidi (£48). *Walapauz* is the act of one who stealthily clothes himself in the garments of another, or changes the appearance of his head or face with the intention of thieving.' Apparently the modern burglar, who with blackened face breaks into a house by night, is guilty, though he knows it not, of the crime of *Walapauz*.

[1] l. 27.

[2] l. 28.

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Nocturnal entry, xxxii–xxxiii.

And this leads us to a curious custom which prevailed when a man was found, with however innocent intentions, by night in another man's courtyard. 'If a free man shall be found by night in the courtyard of another, and shall not give his hands to be tied—if he be killed, no claim for compensation shall be made by his relations. And if he shall give his hands to be tied, and shall be bound, he shall pay for himself 80 solidi (£48): because it is not according to reason that a man should enter in the night-time silently or stealthily into another man's courtyard; but if he have any useful purpose or need of his own, let him cry out before he enters.'

Similarly a slave found at night in the courtyard of a householder, and not giving his hands to be tied, if he be slain shall furnish no claim for compensation to his lord: and if he give his hands, and is bound, shall be set free on payment of 40 solidi (£24)[1].

Scandalum, xxxv–xl.

Scandalum, that is, an act of violence committed in a church, was to be atoned for by a special fine of 40 solidi (£24), laid on the altar of the church. Within the king's palace it was a capital offence, unless the culprit could move the king's soul to mercy. *Scandalum* committed by a free man in the city where the king was abiding, required a fine of 12 solidi (£7 4*s*.), even if no blow were struck; of 24 solidi in addition to the ordinary tariff for wounds if the brawler had struck a blow. In the case of a slave these fines were diminished one half. One half again all round was the abatement, if the city in which the brawl took place were not one in which the king was residing[2].

We now come to the laws fixing the fines that were

[1] ll. 32, 33.

[2] ll. 35–40.

Compensation for bodily injuries to a free person, xliii–lxxv.

to be paid for all sorts of bodily injuries, and these will be best exhibited in tabular form. We begin with the cases in which the injured person is a free man[1]:—

Blows struck in sudden quarrel causing a wound or bruise . . . 3 solidi apiece up to 12 solidi.

'If more blows are inflicted they are not to be counted, but let the wounded man rest content with himself.'

Blow with the fist . . . . . . 3 solidi.

Blow with the palm of the hand . . . 6 solidi[2].

Blows on the head, only breaking the skin . . . 6 solidi up to 18.

Blows on the head, breaking bones: (per bone) 12 solidi (no count to be taken above 36 solidi).

'But the broken bones are to be counted on this principle, that one bone shall be found large enough to make an audible sound when thrown against a shield at 12 feet distance on the road. The said feet to be measured from the foot of a man of moderate stature, not the hand.'

The deprivation of an eye is to be atoned for by the payment of half the fine due for actual homicide, 'according to the quality of the person injured.'

The cutting off of the nose to be atoned for by half the fine for homicide.

Cutting the lip . . . . . . 13 solidi.

If so cut that one, two, or three teeth appear 20 solidi.

Knocking out the front teeth . 16 solidi per tooth.

Knocking out the grinders . 8 solidi per tooth[3].

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[1] It will not be necessary to turn all these fines into their equivalents in English money. The solidus may be taken as equivalent to twelve shillings.

[2] Why this difference? Was it because a slap with the open palm was considered more insulting?

[3] So in Muratori, and more probable than the 19 in Troya's text.

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Cutting off an ear—a quarter of the fine for homicide.

Wound on the face	16 solidi.
Wound on the nose, causing a scar	16 solidi.
Similar wound on the ear	16 solidi.
Fracture of the arm	16 solidi[1].
Wounding without breaking the arm	8 solidi.
Blow on the chest[2]	20 solidi.
Piercing the rib	8 solidi.

Cutting off a hand—half the fine for homicide; if so stricken as to cause paralysis, but not cut off[3]—a quarter of the full fine.

Cutting off a thumb—a sixth part of the fine for homicide.

Cutting off the second finger	17 solidi.
Cutting off the third finger (which is the middle one)	6 solidi.
Cutting off the fourth finger	8 solidi.
Cutting off the fifth finger	16 solidi.

Cutting off a foot—half the fine for homicide.

Cutting off the great toe	6 solidi.
Cutting off the second toe	6 solidi.
Cutting off the third toe	3 solidi.
Cutting off the fourth toe	3 solidi.
Cutting off the fifth toe	2 solidi.

At the end of this curiously minute tariff of penalties for injuries to the person, we have the following interesting exposition of the motive of the law:—

Heightened tariff for these injuries.

'For all the wounds and blows above mentioned, which may pass between free men[4], we have purposely

[1] These laws are given variously in Muratori and Troya, but neither text gives the provision for *fracture* of the arm, which must certainly have been there, and which we may, I think, venture to insert from the analogy of that part of the Code which deals with the injuries of slaves.

[2] 'Si quis alium intra capsum plagaverit' (l. 59).

[3] 'Et si sic siderata fuerit et non perexcusserit' (l. 60).

[4] 'Quae inter homines liberos evenerit.' This seems to imply

ordained a larger composition than was in use among our ancestors, in order that the *faida* (feud), which is enmity, may be postponed after the receipt of the above-mentioned composition, and that more may not be required, nor any thought of guile be harboured in the heart; but let the cause be finished between the parties, and friendship remain. And should it happen that within the space of a year he who was wounded dies of the wounds themselves, then let the striker pay in *angargathungi*, that is [the full fine for homicide] according to the quality of the person injured, what he was worth[1].'

'*Faida quod est inimicitia postponatur.*'

The increased wealth of the Lombards after the settlements in Italy evidently had made them able to pay a higher sum for the luxury of vengeance on an enemy, and justified the sufferer in demanding an ampler compensation for his wounds. At the same time, the motive of the royal legislator in lightening his penal code is clearly apparent. As the Lombard nation was putting off a little of its old savagery in the light of Roman civilisation, it was becoming more and more necessary that feuds should cease, and that the old right of private war and the notion of vengeance as the inalienable right of the kinsmen of a murdered man should be restricted within the narrowest limits, and if possible should vanish out of the nation's life. A provision follows for the case of a man who has unintentionally caused the death of an unborn child. It is said that if the mother of the child is free, and has herself escaped death, her price shall be

that doer and sufferer must both belong to the class of freemen for this tariff to be applicable.

[1] l. 74.

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fixed as that of a free woman according to her rank in life, and the half of that price shall be paid for her dead child[1]. If she dies, her composition is paid apparently without any compensation for the death of her offspring. And as before, let the feud cease because the injury was done unwittingly[2]. This provision, that the composition shall be paid according to the mother's rank in life, seems again to point to a table of compositions graduated according to the sufferer's place in the social hierarchy, which appendix to the laws of Rothari we no longer possess.

Injuries to Aldii or household slaves, lxxvii-cii.

The twenty-six laws which next follow[3] deal with injuries inflicted on another man's *Aldius*, or *household slave*[4]. At first sight we might think that here *Aldius* and *Servus Ministerialis* were equivalent terms: but remembering the way in which *Aldius* was used in a previous law[5] along with 'slave' and 'freedman,' we cannot doubt that we have here to deal with two classes of men differing in their degree of dependence, whose services, generally speaking, were of the same value to their lord. The one is the *Aldius*, the client or serf, generally perhaps a member of the vanquished Roman population; the other is the household slave, who may belong to any nationality whatever, who by the fortune of war or the stress of pestilence or famine

[1] 'Si ipsa mulier libera est et evaserit, appretietur ut libera secundum nobilitatem suam et medietatem quod ipsa valuerit infans ipse componatur' (l. 75).

[2] 'Cessante faida eo quod nolendo hoc fecit.'

[3] ll. 77–102.

[4] 'Si quis Aldium alienum aut servum ministerialem plagaverit in caput' (l. 78).

[5] l. 28.

has lost his liberty, and like our countrymen the boys from Deira who excited the compassion of Gregory, has been brought to Italy by the slave-dealer, and sold to a Lombard master.

For a member of either of these two classes, the composition for wounds and bruises (paid doubtless to his master, not to himself) was generally about a third of that which was payable for a similar injury to a free man. In the case of the loss of an eye, a hand or a foot, the fine was half of that for homicide, the same proportion but not the same amounts as in the case of the corresponding injury to a free man. And for many of the more important injuries it is provided that the culprit shall pay to the lord not only the fixed composition, but an allowance for the loss of the man's labour and the doctor's fees [1].

Injuries to rural slaves, ciii–cxxvi.

The next section, containing twenty-three laws, deals with injuries inflicted on a yet lower class—'*servi rusticani*,' the 'plantation hands' of whom we used to hear in the days of American slavery. Here again the same general principle prevails: for serious injuries, the loss of an eye or a hand, half the fine for homicide: for others a composition which is generally about a sixth or an eighth of that which is paid for a free man, and in many cases compensation for loss of labour and the doctor's charges.

Any blow on hand or foot to either *Aldius* or slave which results in paralysis of the stricken member is to be atoned for as if it had been cut off [2].

[1] E.g. 'Si quis Aldio alieno aut servo ministeriali pollicem de manu excusserit componat solidos viii excepto operas [*sic*] et mercedes Medici' (l. 89).

[2] l. 126: 'Simili modo componatur tanquam si eum excussisset'

'All wounds and blows inflicted on the *Aldius*, the household slave or rustic slave, as also on the *Aldia* and the servant-maid, are to be atoned for according to the tenour of this decree. But if any doubt arise either as to the survival or the speedy cure of the injured person, let the lord receive at once half of the composition for the wound: the remainder being kept in suspense till the event be ascertained.

'Within a year's space, if the man recover, the balance unpaid for the wounds themselves shall be handed over to the lord; but if he die the lord shall receive the whole composition for the dead man, allowing for that which has already been paid for the wounds.

'The man who has inflicted a wound is himself to go and seek a physician. If he fail, then the wounded man or his lord is to seek the physician, and the other shall pay for loss of labour and doctor's fees as much as shall be adjudged by learned men [1].'

Murder of Aldius, household slave, or rural slave, cxxix–cxxxvii.

Now at length, after all these minute details as to minor injuries inflicted on men of less than free condition, we come to the full composition to be paid in the event of their actual murder:—

He who kills another man's *Aldius* must pay (doubtless to the lord, though this is not expressly stated) 60 solidi.
He who kills another man's household slave 'approved and trained [2]' . . . . 50 solidi.
He who kills a household slave of secondary importance

(ap. Muratori), a better reading it seems to me than that of Troya, 'tanquam si eum occidisset.'

[1] l. 127–128.

[2] 'Si quis servum ministerialem probatum ut supra aut doctum occiderit' (l. 130). I know not to what the 'ut supra' refers.

to the foregoing, who bears nevertheless the name of household slave [1] . . . . . . 25 solidi.

He who kills a foreman swineherd who has two or three or more men in training under him . 50 solidi.

For an inferior swineherd . . . . . . 25 solidi.

He who kills a farm servant [2], a cowherd [3], a shepherd [4], goatherd or other herdsman, if a foreman . 20 solidi.

If one of his under-men [5] . . . . . . 16 solidi.

He who kills a rustic slave under the farm-labourer [6] 16 solidi.

Any one who by accident kills the infant child of a slave or farm-labourer shall be assessed by the judge according to the age of the child, and the money which it was able to earn, and shall pay accordingly.

Accidents in tree-cutting, 'Common employment,' cxxxviii.

The provision as to accidents connected with the craft of the forester has an interesting bearing on the current legal doctrine of 'common employment.' If two or more men are felling a tree which falls upon a passer-by and kills or injures him, they shall pay the composition for homicide or maiming in equal proportions. If the like accident befall one of the workers, they shall reckon one portion for the dead man, and pay the rest in equal shares. Thus, if two men were felling the tree and one were killed, the survivor would pay half the composition for his comrade; if three, each survivor would pay a third, and so on. 'And the feud shall cease inasmuch as the injury was

[1] 'De alio vero ministeriale qui secundus ei invenitur, tamen ut nomen ministerialem habeat' (l. 131).

[2] 'Servum massarium.'

[3] 'Servum bubulcum *de sala*.' I do not find any satisfactory explanation of these words.

[4] The reading 'pecorario' seems to make better sense than 'percario' (l. 136).

[5] 'Pro discipulo autem qui sequens est.'

[6] 'Servo rusticano qui sub massario est' (l. 134).

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accidental.' In a later law (152) it is expressly enacted that if a man hires workmen, one of whom is drowned or struck by lightning, or crushed by a blown-down tree, his composition shall not be claimed from the hirer of his labour, provided the death was not directly caused by the hirer or his men.

Poisoning, cxxxix–cxlii.

A curious little group of laws on *poisoning* next comes before us [1]. The free man or woman who mixed a cup of poison for another, but never found an opportunity to administer the fatal dose, was fined 20 solidi (£12). If the poison were administered, but without a fatal result, the fine was half the composition for homicide. If death ensued, of course the whole composition was paid.

So, too, if a slave presented the poisoned cup, but failed to kill his victim, the master of the slave must pay half the composition which would have been due in case of death; and the whole composition if death ensued. In either event, however, the slave was to be handed over to be put to death, and the master had a right to deduct his market value from the penalty which he paid for the slave's crime.

Recrudescence of the *faida*, cxliii.

But all this machinery of the *guidrigild*, however carefully worked, would sometimes fail to efface from the mind of the sufferer the memory of his wrongs. The retaliatory blow would after all be struck, and the terrible *faida* would begin once more. In order to guard against this recrudescence of the blood-feud, it was enacted that any one who, after he had received the composition for a slaughtered relative, and after accustomed oaths of mutual amity had been sworn, took vengeance with his own right hand and slew the

[1] ll. 139–142.

murderer, should, besides paying the ordinary composition for the new homicide [1], repay twice the composition which he had received; and similarly, if it were only a wound or a bruise which had been inflicted upon him, he should repay double the composition paid him for that injury.

Magistri Comacini, cxliv.

Again, we are brought by the next pair of laws face to face with one of the most difficult questions of modern legislation, that of 'employers' liability.' If we rightly interpret the words of the code [2], there was a guild of master masons who took their name from the town of Como, the headquarters of the building trade of that day. According to Muratori [3], even down to the middle of last century troops of masons from the Italian lakes used to roam over the other provinces of Italy, seeking employment as builders. Possibly the fact previously noticed [4], that the Lake of Como was for so many years a stronghold of the dying Imperial cause in Upper Italy, may have had something to do with this continued existence of an active building trade in the hands of the *Magistri Comacini*. However this may be, it was enacted that if in the course of their building operations the fall of material caused a fatal accident either to one of the workmen, or to a passer-by, the composition should not be payable by the owner of the house, but by the 'Comacine Master.' 'For after by the contract [5] he has received

[1] This is not very clearly stated, but I think may be inferred from the tenour of the law (l. 143).

[2] 'Si Magister Comacinus cum collegante suo cujusque domum ad restaurandum vel fabricandum susceperit' (l. 144).

[3] In his note on this law.

[4] See vol. v. p. 244.

[5] 'fabula.'

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good money for his hire, it is not unreasonable that he should bear the loss[1].'

Injuries by fire, cxlvi-cxlix.

Laws as to fire-raising follow. The man who has intentionally and with evil mind[2] kindled a fire in his neighbour's house must repay the damage threefold; the value of the burnt property to be assessed by 'neighbouring men of good faith.' An accidental fire caused by a man carrying burning coals nine feet or more away from his own hearth was to be compounded for by a payment merely equivalent to the value of the things destroyed[3].

Injuries to water-mills, cl-cli.

From fire the legislator passes to mills, probably water-mills. Any one breaking down another man's mill was to pay 12 solidi [£7 4s.] to the injured miller. For some reason or other, judicial fairness was more than usually doubtful in cases of this kind, and accordingly a judge who delayed his decision, or wrongfully gave leave for the destruction of a mill, was to pay 20 solidi [£12] to the king's palace[4]. On the other hand, wrong might be done by building as well as by destroying a mill. There were men who did illegally what the 'free selectors' of Australia do in virtue of

[1] The conclusion of the law which next follows (145) seems to reverse the principle here laid down. I fear that there is some distinction between them which I have failed to apprehend.

[2] 'Asto animo.'

[3] '*Ferquida* id est simile,'—another curious Lombard word.

[4] 'Districtus ab stolesazo,' being compelled to pay by the *stolesaz*. Who is this officer? Meyer translates 'judge,' deriving the word from *stol* and *sizzan*, and making it equivalent to 'him who *sits on the stool* (throne) of judgment.' But there is a various reading *sculdaiz*, and it seems to me probable that the reference here is to the well-known magistrate whom the Lombards called by that name, and whose designation survives in the ***schultheiss*** of modern German.

the laws of the colony—who settled themselves down on another man's land and built a mill beside his stream. In such a case, unless the intruder could prove his right, the mill and all the labour that he had expended upon it went to the rightful owner of the soil [1].

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Laws of inheritance, cliii–clxxi.

We now come to the section of the Code which deals with the laws of inheritance [2]. The feature which to our ideas seems the most extraordinary, and which is, I believe, peculiar to the Lombard laws, is the provision which is made for illegitimate alongside of legitimate children. If a Lombard left one legitimate and any number of illegitimate sons, the former took two-thirds of his property at his death, the latter all together one-third.

If he left two sons born in wedlock, they inherited each two-fifths, the collective bastards one-fifth. If there were three of the former class, they took each two-sevenths, and one-seventh was divided among the bastards.

If there were four, the bastards took a ninth; if five, an eleventh; if six, a thirteenth; if seven, a fifteenth. Beyond this point apparently the law-giver would not go in providing for the division of the inheritance.

In all cases where there was legitimate male issue, the daughters took nothing; but if a man left one daughter born in wedlock, and a number of illegitimate sons, the former took one-third of the inheritance, the

[1] l. 151. These laws about mills may remind the English reader of the keen litigation about water-power which is described by George Eliot in 'The Mill on the Floss.'

[2] ll. 153–171: curiously interrupted by a parenthesis (163–166) chiefly dealing with crimes against a man's near kindred.

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latter one-third, and the remaining third went to the other next of kin. If the daughters were two or more in number they took a half, the bastards a third, and the next of kin a sixth.

Where there was no next of kin to claim under these provisions, the 'king's court' claimed the vacant inheritance. As relationship did not count beyond the seventh generation [1] we may believe that in that barbarous age, and with a roving population, the 'king's court' was not seldom a successful claimant.

No man might declare his illegitimate sons legitimate, or put them on an equality with the sons born in wedlock, except with the consent of the latter given after they had attained 'the legitimate age.' This was reached, however, at the early period of twelve years. As with the Romans, so with the Lombards, a father had not absolute power over the disposal of his property. Except in the case of certain grievous crimes against filial duty (if a son had purposely struck his father, or plotted his death, or committed adultery with his stepmother), no father might disinherit his son, nor even '*thing*' away to another in his lifetime the property that should rightly devolve upon him [2]. And the obligation was a mutual one: except to his own offspring, the son might not '*thing*' away his property to prevent it from being inherited by his father. The Latinised German word '*thingare*,' which meets us in this and many other Lombard laws, gives us an interesting glimpse into the political life of primeval Germany. In an earlier chapter of this work [3]

Meaning of *thingare*: connection with Folks-Thing.

[1] l. 153.

[2] 'Nulli liceat sine certâ culpâ filium exhaeredare, nec quod ei debetur per legem alii thingare' (l. 168).

[3] Vol. iii. p. 260.

a slight sketch was attempted of the Folks-Thing, or national assembly of the Germans. Referring to that chapter for a fuller discussion of the subject, I may add that not many miles from the place where I am now writing[1], there was discovered about ten years ago an altar which bore the inscription DEO MARTI THINGSO, and which, in the opinion of some of the best German archaeologists, was dedicated to Mars, the god of the assembly, in whose name the priests commanded silence and punished the offenders who were brought up for judgment[2]. Thus from a bare hillside in Northumberland has come in recent years a testimony to the widespread institution of the *Thing* among our Teutonic forefathers. Before such an assembly it was the custom of the Lombards that all transactions connected with property (especially perhaps property in land) should take place, and it was for this reason that a too generous (or perhaps spiteful) father was forbidden *thingare* his property to the detriment of his natural heirs.

Gairethinx = donation.

From this custom of making every donation of property in the presence of the *Thing*, the donation itself came to be called *Thinx*[3] or *Gairethinx*. As *ger* in the Old High-German language signifies a spear, and as we know[4] that the Germans always came armed to

[1] At the Roman camp of Borcovicus near Housesteads in Northumberland.

[2] This is the view of Prof. Scherer as communicated to Prof. Hübner, and stated by him in Archaeologia Aeliana, x. 157. He quotes Tacitus, Germania, c. vii. The altar was erected by the 'Tuihanti (?) Germani cives.'

[3] 'Omne Thinx quae est donatio' (l. 171).

[4] From Tacitus, Germ. xi.

their assemblies, it is suggested[1] that the *gairethinx* or spear-donation may have been an especially solemn form of transfer of property[2]. One of the laws of Rothari said, 'If any man wishes to *thing* away his property to another, let him make the *gairethinx* itself not secretly, but before free men, inasmuch as both he who *things* and he who is the receiver are free men, that no contention may arise in future[3].'

Now however solemnly a childless man might have '*thinged*' away his property, when for any cause he despaired of having issue of his own, if he afterwards begat legitimate sons, the previous *thinx* was utterly null and void, and the sons succeeded to the property as if it had never taken place. And even daughters and illegitimate children ousted the claim of the receiver of the *thinx* to all but a fraction of the inheritance[4].

On the other hand, a childless[5] man who at the solemn *thing* should pronounce the word *lidinlaib*, thereby expressing that the donee was to enter upon the property at his death, incurred obligations which, if he continued childless, he could not lightly set aside. He became in fact, what our lawyers call 'tenant for life,' and not 'without impeachment of waste,' for he must thenceforward confine himself to the reasonable

[1] By Meyer, Sprache der Langobarden, p. 287.

[2] And thus in a certain sense corresponding to the 'ex jure Quiritium' of Roman law, *quiris* being the old Sabine word for spear. But this is, of course, a mere coincidence.

[3] 'Si quis res suas alii *thingare* voluerit, non absconse, sed ante liberos homines ipsum *gairethinx* faciat, quatenus qui *thingat* et qui *gisel* (the witness) fuerit, liberi sint, ut nulla in posterum oriatur intentio (? contentio)' (l. 172).

[4] l. 171.

[5] This is not stated, but we may infer it from the terms of the law.

use of the property, and must in no wise fraudulently dissipate the same. If, however, necessity came upon him, and he found himself compelled to sell or mortgage the property with the slaves upon it, he might appeal to the receiver of his *thinx*: 'You behold under what compulsion I am about to part with that property which I gave to you at my death. If it seem good to you, help me now and I will preserve this property for your benefit.' If the donee of the *thinx* thus called upon refused to help his benefactor, then any alienation or encumbrance of the estate made by the latter remained valid in spite of the donation[1].

Marriage laws, clxxviii–cciv.

We now come to the marriage laws of Rothari, an interesting section of the Code[2]. But before entering upon it we must notice one important law which governs the whole relations of Lombard womanhood, whether married or single: 'It shall not be lawful for any free woman, living according to the law of the Lombards under our sway, to live under the power of her own free will, or as it is called to be *selpmundia*, but she must always remain under the power of men, if not a husband or relative under that of the king's court, nor shall she have the power of giving or alienating any property, moveable or immoveable, without the consent of him in whose *mundium* she is living[3].' The principle here laid down was recognised by most, if not all the German tribes whose laws have come down to us, though none deals quite so minutely with this question of the guardianship of women as the Lombard Code. The wording of the law may seem

Every woman to be under the *mundium* (guardianship) of some man.

[1] l. 173. Lidinlaib is derived by Meyer from *lidan*, to die, and *laib* or *laip*, a survivor (?).

[2] ll. 178–204.

[3] l. 204.

at first sight inconsistent with that high honour in which the Germans from the time of Tacitus downward are said to have held their women. But on reflection we perceive that the institution of this *mundium* or guardianship is chiefly intended for the woman's protection, and is a necessary consequence of the barbaric character of the rest of the Code. In a state of society where the *faida* or blood-feud was still a recognised principle, slowly and with difficulty giving way to the scarcely less barbarous *guidrigild*; under a system of laws which, as we shall see, tolerated the *camfio*, or wager of battle, as the test of right and wrong, what chance would a poor weak woman, if self-championed (*selpmundia*), have had of maintaining her rights? It was evidently necessary that she should have some male protector and representative, who if he had to assume responsibility for her acts, must have the deciding voice in the disposition of her property: and accordingly under the *mundium* of some man the Lombard woman lived from her cradle to her grave; if not under the *mundium* of a father, under that of a husband or a brother; if all these failed her, then under the *mundium* of the king's court. At the same time, though the institution of the *mundium* may have been originally designed for the woman's protection, it was undoubtedly sometimes a coveted prize. The regulations in the Lombard Code as to the division of the *mundium* among the brothers, even the illegitimate brothers[1], of the daughters of the house show that this view was taken of the guardian's position: and when the king's court came in and

[1] l. 161.

claimed the *mundium* of a wealthy heiress, we can well believe that some of the abuses of the right of wardship and marriage which prevailed in feudal times may have been in measure anticipated by the Lombard rulers. This, however, is a mere conjecture, not supported so far as I know by anything that is to be found in the scanty documents that have come down to us.

'Living according to the law of the Lombards.'

I must direct the reader's attention to one clause in the sentence above quoted from the 204th law of Rothari: 'Any free woman *living* under our sway *according to the law of the Lombards*[1].' This passage clearly implies that King Rothari had subjects who were not living according to the law of the Lombards. This has a bearing on a very wide and important controversy which will be referred to in a subsequent chapter.

History of a Lombard courtship and marriage.

Meanwhile our business is with the Lombard law alone, and we may now trace by such indications as that law affords us the history of the courtship and marriage of a Lombard woman. We must not, however, expect that the Code will reveal to us the sentimental aspect of a Lombard marriage: on the contrary, some of the provisions will remind us of the discussions which take place in many a French farmhouse at the present day concerning the precise amount of the *dot* of the daughter of a thrifty *propriétaire.*

When a Lombard suitor asked for the hand of a woman in marriage, if her guardian accepted him, a ceremony of betrothal was solemnised, and a written contract (*fabula*) was drawn up between the parties.

[1] 'Nulli mulieri liberae sub regni nostri ditionem Legis Langobardorum viventi.'

The suitor covenanted to give a price which was called the *meta* [1]; and some substantial guarantor [2] joined in the covenant with him [3]. If all went well, and the course of the matrimonial negotiations flowed smoothly, the father or brother in whose *mundium* the bride had hitherto been gave, probably on the eve of the wedding, a certain dowry to the bride which was called her *faderfio* (father's money) [4]. To this was added on the morning after the marriage a substantial present from the newly-wedded husband to his wife, according to the universal custom of the German tribes; and this present, which was called the *morgangebe* by the Alamanni, and the *morgengifa* among our Anglo-Saxon ancestors, was modified into *morgincap* among the sharp-speaking Lombards [5].

But if the progress of the suit were not prosperous, and if the solemn betrothal did not ripen into marriage, the laws of Rothari had much to say about that con-

[1] Connected with our English word *meed*, and with the German *miethe*. It is sometimes called *met-fiu*, the meed-money.

[2] Called *fide-jussor*, a term taken from the Roman law.

[3] Who kept the *meta*? Was it compensation to the father (if he had the *mundium*) for the loss of his daughter's services, or did it form part of the provision for the married couple? The laws do not seem clear on this point, but it seems to me probable that the father kept the *meta* during his life, and that after his death it came to the daughter.

[4] This *fio* or *fihu*, the Lombard word for money, is a word with an interesting history. It is connected with the German *vieh*, and the Latin *pecus* (= cattle), and carries us back to a state of society when wealth consisted chiefly in flocks and herds. (Our English word *stock* might be used as an ambiguous equivalent.) In Gothic, *faihu* = wealth, and the word used by Ulfilas to translate mammon is *faihu-thraihns*.

[5] See vol. v. p. 207, for the discussion about Queen Galawintha's morning-gift.

tingency. If for two years after the betrothal the suitor kept on delaying the fulfilment of his promise, the father or brother, or he who had the *mundium* of the affianced woman, might exact from the guarantor the payment of the *meta*, and might then give the damsel in marriage to another[1]. But perhaps the reluctant suitor alleged as a reason for his refusal that the woman had lost her chastity. In that case her parents must get twelve neighbours or kinsfolk to swear with them that the accusation was false[2]. If they could do this the woman's reputation was considered to be cleared, and the suitor must either take her to wife, or pay a double *meta* as a penalty for the wrongful accusation.

If, however, for her sins[3] it should happen that a woman was sorely afflicted after her betrothal, if she became a leper or a demoniac, or lost the sight of both eyes, then the suitor might reclaim his *meta*, and was not bound to take her in marriage. If, on the other hand, the guardian of a woman, after solemnly betrothing her to one man, connived at her marriage to another, he had to pay twice the *meta* to the injured suitor.

Once married, the woman passed under the *mundium* of her husband, and if she survived him remained under the *mundium* of his representative. If she had a son grown to adolescence it seems probable that he would

[1] l. 178.

[2] 'Liceat eam parentibus purificare cum duodecim sacramentalibus suis' (l. 179).

[3] 'Si peccatis imminentibus contigerit,' a view of human calamity which would have had the hearty approval of Job's three friends.

be her guardian, but of course this would often not be the case, and she would then be under the *mundium* of some brother or kinsman of her late husband, who might be indisposed to relinquish the profitable trust. The royal legislator therefore clearly stated that the widow had the right to betake herself[1] to another husband if he was a free man. In this case the second husband was bound to repay to the heir of the first, half of the *meta* which had been paid on the first espousals, and if the latter refused to accept this, then the wife might claim her whole *faderfio* and *morgincap*[2], and she returned under the *mundium* of her parents, who might give her in marriage to whom they would.

We have several indications that this enforced *mundium* of the widow under her late husband's heir led sometimes to strained and painful relations. Any one having the *mundium* of a free wife or maiden who falsely accused her of adultery, or called her a witch[3], or conspired against her life, lost the *mundium* unless he were the father or the brother of the injured woman[4]; and in this and several other cases the *mundium* went, in default of relations, to the king's court. Lastly, to end the story of the matrimonial life of the Lombard woman, if a man slew his wife for any cause which was not sufficient in law to justify her death, the murderous husband had to pay 1200

[1] 'Potestatem habeat ad alium maritum ambulandi' (l. 182).

[2] But apparently in this case he retained the *meta*. This looks as if the *meta* might easily be a large sum, more than twice the size of *faderfio* and *morgincap* combined.

[3] 'Striga, quod est Masca.'

[4] ll. 196–198. Do these laws apply to the husband? I think not.

solidi (£720), half to her parents or relations, and half to the king. If the murdered woman had left sons, these inherited the *morgincap* and *faderfio*: if not, they went to her parents, or failing them, to the king's court. But if the wife plotted against her husband's life, she was at his mercy and he might do to her whatsoever he would. If she slew him, she was herself to be put to death, and her property, if she left no children, went to the husband's heirs. Always, even in presence of the ghastliest domestic tragedies, the Lombard legislator keeps a cool head, and remembers to say what shall be the destination of the *faderfio* and the *morgincap*.

Laws about sexual immorality.

Interspersed with the marriage laws of which I have spoken are some which deal somewhat more with the moral side of the relation between the sexes. Thus the seduction[1] of a free woman was punished by a fine of 20 solidi (£12), which was increased to 100 solidi (£60) if the seducer refused to marry his victim. If a man persuaded the betrothed bride of another to marry him he had to pay 20 solidi to the parents as penalty for seducing their daughter from her duty[2], and 20 more in order to end the feud (*faida*) caused by his misconduct. Moreover he had to pay to the injured affianced suitor twice his *meta*. These comparatively light punishments fell on him who had by gentle means won the forbidden prize. Crimes of violence were rightly punished much more severely. Forcible compulsion of a woman to marry subjected the offender to a fine of 900 solidi (£540), half of which went to the parents of the damsel, and half to the

[1] '*anagriph.*'

[2] 'Pro *anagriph*' (l. 189).

king's court. The injured wife was at liberty to go forth from the offender's house with all her possessions, and might place herself under the *mundium* of a father, a brother, an uncle, or the king, as she might choose.

In this connection we meet with a law which has given rise to much discussion :—

Ancilla gentilis, Ancilla Romana.

'If any man shall commit fornication with a female slave belonging to the nations, he shall pay to her lord 20 solidi. If with a Roman, 12 solidi [1].'

It is only in this casual reference to an act of immorality that we find in all the laws of Rothari the slightest express reference (doubtless there are many implied references) to the great mass of the subject population of Italy who called themselves, and were called by their conquerors, by the once proud name of Roman. And this reference carries us but a little way. The poor bondwoman of Roman extraction is evidently compared unfavourably with her fellow slave of 'Gentile,' that is of Teutonic or Sclavonic origin, the kinswoman it might be of the Anglian lads whom Gregory saw in the market-place. But, after all, it is not her wrong, but the injury done to her master, that is in the mind of the legislator. It is to him that the fine is paid, and all that we learn from this passage is that the stout, strong 'gentile' woman who had come across the seas or from the countries beyond the Alps was a more valuable possession to her master than one of the oppressed, emaciated, famine-wasted daughters of Italy.

Acts of immorality committed chiefly against women

[1] 'Si quis cum ancillâ gentili fornicatus fuerit, componat domino ejus solidos xx. Et si cum Romanâ xii solidos' (l. 194).

of servile condition are dealt with in laws 205–214, and we then come to the interesting subject of marriages contracted between persons of unequal *status*, one free, the other unfree [1].

Unequal marriages, ccxvi–ccxxi.

In these marriages the general rule seems to have been that which also prevailed in the Roman law, that the issue of the marriage shared the condition of the mother. Thus if an *Aldius* married a free woman, on his death she and her sons might go forth from his house free, but on condition of renouncing the *morgincap* which her late husband had given her, and giving back to his lord the sum which he had once paid to her parents for her *mundium*. If a slave married a freed woman [2] or an *Aldia* she lost the qualified freedom which she had possessed, during the marriage, but might reclaim it on her husband's death, and go forth free with her children. If an *Aldius* married an *Aldia* or a freed woman the sons became *Aldii* on the estate of their father's lord [3]. If he married a female slave, the children of the marriage were slaves of their mother's master. But if he ventured to lift his eyes to a free woman, and make her his wife, he ran the risk of hearing sentence of death pronounced upon him. The relations of the woman who thus demeaned herself had the right to slay her, or to sell her for a slave into foreign parts, and divide her substance among themselves. If they failed to do this, the king's officers might lead her away to the king's court, and

[1] ll. 216–221.

[2] Davoud Oghlou rightly suggests *liberta* as an emendation for *libera* in this law (l. 217).

[3] 'Patrem sequantur et sint aldii cujus et pater est' (l. 218); an exception to the general rule.

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set her to work among the female slaves at the loom. So jealous was the Lombard law of the honour and reputation of the free Lombard woman [1].

But, lastly, there was the possible alternative case, that a free man might wish to marry one of his own female slaves. For such a union the law had no such terrors as those inflicted in the converse case of the marriage of a free woman with a slave. But he might only marry her on condition of first enfranchising her, which he must do in a solemn manner by way of *gairethinx* before the assembly of the people. The enfranchised slave, who was now declared to be *wurdibora* [2], might now become her late master's lawfully-wedded wife, and could bear him legitimate sons, with full claim to succeed to his inheritance.

Manumission of slaves, ccxxiv–ccxxvi.

From this subject, by a natural transition, the legislator passes to that of the manumission of slaves [3].

Of this manumission, as he informs us, there were four kinds.

I. Absolute emancipation, making the subject of it *fulc-free* and *amund.*

(1) The fullest and most complete was that which was practised when a man wished to give his male or female slave absolute freedom to go where he pleased, and dispose of his property as he would. To accomplish this, he first handed over the slave by solemn *gairethinx* to another free owner; that second owner to a third, and the third to a fourth. This last owner led the slave to a place where four roads met, handed him in

[1] I say Lombard woman, because it seems to me improbable that this applies to the case of the marriage between a free Roman woman and a slave.

[2] 'Worthy-born,' or perhaps 'worthy-bearer,' referring to the condition of her offspring (l. 222).

[3] ll. 224–226 (225–229 in Muratori).

the presence of witnesses an arrow [1], the free man's weapon, murmuring a certain form of words which had been handed down from dim antiquity, and then pointing to the cross-roads, said, 'You have unfettered power of walking whither you will.'

A slave or *Aldius* thus enfranchised became folk-free [2] (that is, a sharer in the freedom of the Lombard people), and entirely out of his late master's *mundium* [3]. If he died without natural heirs, neither his patron nor his patron's heirs succeeded to his property, but it went to the king's court.

II. *Impans* (?); *amund* but not *fulc-free.*

(2) The second form of manumission was that of the slave who was remitted *impans*, that is, 'to the king's wish.' This passage remains hopelessly dark to us, but we are told that the slave thus liberated was '*amund*' (perhaps, however, not 'folk-free').

III. *Fulc-free* but not *amund.*

(3) The third form of manumission made its subject 'folk-free,' but not '*amund*.' He lived like a free Lombard in the family of his late master, and under his *mundium*. He had received the 'liberty of the four ways,' and could go where he willed, and do what he pleased, but his property, in default of natural heirs, went to his late master.

[1] The words of Rothari's law (224) are 'ducat eum in quadrubium (quadrivium) et thingat *gaida* et *gisilis*.' *Gaida* is the old Lombard word for a spear; *gisilis* for witnesses. I have added a little from Paulus Diaconus (H. L. i. 13), who is evidently describing this method of enfranchisement in *gaida et gisilis*: 'Igitur Langobardi . . . plures a servili jugo ereptos ad libertatis statum perducunt. Utque rata eorum haberi possit ingenuitas, sanciunt more solito *per sagittam*, immurmurantes nihilominus ob rei firmitatem quaedam patria verba.'

[2] *Fulc-free.*

[3] 'Qui a se extraneum id est *amund* facere voluerit.'

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IV. *Aldius.*

(4) The fourth form of manumission, an incomplete and partial affair, not accompanied with 'the liberty of the four ways,' left its subject only an *Aldius*, that is, as we have seen, it left him in a semi-servile condition, not 'folk-free' on the one hand, but on the other able to contract a valid marriage with a free woman, and probably not liable to the indignity of personal chastisement [1].

The section on manumission ends with the following law, which has an important bearing on the question hereafter to be discussed, of the condition of the subject Romans under the Lombards :—

'All freedmen who shall have received their liberty from Lombard lords ought to live under the laws of their lords, and for their benefactors, according to the concession which shall have been made to them by their own lords [2].'

This provision certainly looks as if for some persons, and at some times, the 'living according to the law of the Lombards' was not a privilege to be sighed for, but a duty, to be if possible evaded. But more of this hereafter.

Vendors and purchasers, ccxxvii–ccxxxvi.

The law of vendors and purchasers comes next in order [3], but there is not much here that need claim our attention, except that we notice that the period required to give a prescriptive title to property is very short, only five years. So short a prescription perhaps

[1] This last statement is only conjectural.

[2] 'Omnes liberti qui a dominis suis Langobardis libertatem meruerint, legibus dominorum et benefactoribus suis vivere debeant, secundum qualiter a dominis suis propriis eis concessum fuerit' (l. 226).

[3] ll. 227–236.

points to a semi-barbarous state of society still existing among the Lombards, and to frequent changes of ownership by violence. If a man had been left as long as five years in undisturbed possession of land, or slaves, or jewels, it might be presumed that he was the rightful owner.

Also we observe that no slave, and even no *Aldius*, could sell property of any kind without the consent of his master or patron. An exception was necessarily made in the case of a slave who had charge of a farm (*servus massarius*), whose business it was to sell off the young stock, and who did not require the formal consent of his master for each transaction of this kind [1].

Removing land-marks, ccxxxvii–ccxli (*bis*).

Six laws follow concerning the removal of boundaries [2], the usual punishment for which offence was a fine of 80 solidi (£48) in the case of a free man; a fine of half that amount or death in the case of a slave. It is interesting to observe that a frequent method of marking the boundaries was by notching the forest trees.

Coining and forgery, ccxlii, ccxliii.

The slave who thus falsified the markings on the forest trees was punished by amputation of his right hand; and here, with that delightful discursiveness which characterises the Lombard code, we learn that the same punishment was inflicted on any one who, without the king's order, stamped gold or coined money,

[1] The law says, 'Servus massarius licentiam habeat de peculio suo': but 'peculium' seems here to be used as equivalent to 'pecus,' and not to bear its special juristic meaning of a slave's own property.

[2] ll. 237–241 (*bis*).

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and also on any one who forged a charter or other document [1].

Burglarious entry into a city.

A measure of police, for the peace and good order of the cities, follows. 'If any free man enters any city or village [2] *by the wall*, or leaves it in the same manner, without the cognisance of his magistrate [3], he shall pay the king's court a fine of 20 solidi (£12). An *Aldius* or slave committing the same offence is to pay a fine of 10 solidi. If he commits a robbery he shall pay the fine for such robbery imposed by this edict in addition.'

Pignoratio, ccxlv–cclvii.

Then follow some obscure and difficult laws [4], which I will not presume to interpret, as to the custom of *pignoratio*, which was a sort of distraint upon the goods of a debtor executed by a creditor on his own responsibility. He was not allowed to resort to this process of self-compensation till after he had on three successive days called upon the debtor to pay his debt, and if he made any mistake in executing it (for instance, if he took the slave of A as security for the payment of the debt of B), he might have to restore eight times the value of the pledge so taken, unless he could swear that he had done it inadvertently [5]. So too the man who had given a pledge

[1] 'Si quis sine jussione Regis aurum signaverit aut monetam confinxerit manus ejus incidatur' (l. 242). 'Si quis chartam falsam scripserit, aut quodlibet membranum, manus ejus incidatur' (l. 243).

[2] 'Castrum.'

[3] 'Sine notitiâ Judicis sui' (l. 244). The terms of this law look as if it were meant for the Roman rather than the Lombard population.

[4] ll. 245–257.

[5] The Roman story of the arrest of Virginia by order of Appius Claudius the Decemvir perhaps illustrates the kind of abuse of

(*wadia*) for the maintenance of an action and failed to redeem it within six days was fined 12 solidi.

The section of the edict which deals with theft contains eleven short and simple laws [1]; the next section, that which is concerned with the case of fugitive slaves, is about twice as long, though it contributes only thirteen laws to the collection [2]. Evidently under the Lombard kings, as under the Presidents of the United States who reigned before Abraham Lincoln, the recapture of fugitive slaves was a matter which occupied a considerable part of the thoughts of the local magistrates.

Theft, cclviii–cclxviii.

As for theft, if the article stolen was of the value of 10 *siliquae* (5 shillings), the thief, if a free man, had to restore the value of the object ninefold, and to pay a fine of 80 solidi (£48). He might, it is true, escape from this heavy fine by accepting the penalty of death. For the slave the fine was 40 solidi, the rest of the punishment was the same. The free woman (if 'folk-free') arrested in the act of theft was only called upon to pay the ninefold value. No other fine was to be exacted from her, but she was to go back to her home and muse on the injury which she had done to her reputation by attempting so indecent an action. Any one finding gold or an article of raiment on the highway, and raising it higher than his knee, if he did not declare what he had discovered to the magistrate was to restore ninefold.

We pass to the laws which deal with the case of

the law of debtor and creditor which made this stringent provision necessary.

[1] ll. 258–268.

[2] ll. 269–281.

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Fugitive slaves, cclxix–cclxxxi.

slaves escaping from their masters. If such a slave or a free man escaping from justice were caught, it was the duty of the magistrate of the place where the capture occurred to hand over two solidi as a reward to the captor, and keep the slave that he might restore him to his master, or the fugitive that he might restore him to his pursuers. Did such a fugitive, having once been caught, escape, his keeper must swear that he had not intentionally released him, but had guarded him to the utmost of his power. Otherwise (apparently) he made himself responsible for the consequences of his escape. If the fugitive, when challenged and summoned to surrender, did not give his hands to be tied, the pursuer slaying him was not to be held answerable for his death [1].

All men were bound to hinder the slave in his flight, and to assist in detaining him. If a ferryman rowed him across a stream he was put on his defence, and unless he could swear a solemn oath that he was ignorant of the fugitive slave's condition, he was compelled to join in the quest, and if that were unsuccessful, to pay to the owner a sum equal to the slave's value, and a fine moreover of 20 solidi (£12) to the king's court. If the slave took refuge in a private house, the owner was justified in breaking into it, the fury of the pursuing master being deemed sufficient justification for the technical offence against the rights of property [2]. If any one knowingly har-

[1] Nor if he were slain by the fugitive was any demand to be made [of the slave's master?] on account of that murder ('et si ille qui fugacem hominem comprehendere voluerit ab ipso occisus fuerit non requiratur') (l. 269).

[2] 'Non reputetur culpa domino pro eo quod in curte alterius

boured a fugitive slave, or supplied him with food, or showed him the way, or gave him a lift on his journey, the man who had thus helped the fugitive was bound first of all to go forth and find him, and if he failed to do that must pay the value of the slave, and of any property which he might have carried off with him, together with compensation for the work which had been damaged by the slave's flight.

As a rule, any one in whose house a slave sought shelter was bound to send a message to the master announcing the fact. If he failed to do so, and kept the slave more than nine nights[1], he was responsible for any injury that the slave might commit, or for the loss to the owner caused by his death.

These rules applied to all classes. Even the officers of the king's court, the *Gastaldius*, or *Actor Regis*, the dignitaries of the Church, a priest or a bishop might not permanently shelter a fugitive slave, but having been summoned three times were bound to surrender him to his lord. If it happened, however (as seems often to have been the case), that the householder with whom the slave had taken refuge came forth and made peace between the slave and his master, persuading the latter to receive him back 'in favour and peace,' and if afterwards the master, breaking his promise, avenged himself on his slave for his flight, he must for such violation of his plighted word pay to an ordinary householder 20 solidi (£12), or twice that

furorem in servum suum habens, rem suam apprehendere visus est' (l. 278).

[1] 'Si quis mancipium fugax in casâ suâ nesciente domino super novem *noctes* habuerit' (l. 279). Notice the Teutonic custom of reckoning by nights instead of days; our *fortnight*.

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amount to one of the king's officers, or to a dignitary of the Church, if it was one of these whose intercession had thus been rendered of no avail. In the last case, that of broken faith with a bishop or priest, the forty solidi were to be deposited 'on the sacred altar where the injury had been done[1].'

The general tenour of these laws seems to show that the sympathy of the whole community, not of the semi-servile rustics only, but also of the rich and powerful, was wont to be on the side of an escaping slave, and that the royal legislator must raise his voice loudly to secure a hearing for the rights of property in human flesh as then recognised by the law.

Offences against the public peace, cclxxxii-cclxxxv.

We come to a short section of the Code which deals with offences against the public peace. To enter another man's house in wrath and passion[2] was such an offence, and was called *hoveros*, a word which perhaps signifies 'house-storming[3].' The penalty for such an offence, if committed by a man, was 20 solidi (£12), but 'a woman cannot commit the offence of breach of the house-peace, which is *hoveros*: because it seems to be absurd that a woman, whether free or bond, should be able, like a man, to do violence with arms[4].'

[1] 'Aut sit culpabilis ipsi Ecclesiae solidos xl., ita ut per actorem regis exigantur, et in sacro altari ubi injuria facta est ponantur' (l. 277).

[2] '*Haistan*, id est irato animo,' or as we say, with hasty temper (l. 282).

[3] Meyer derives *hoveros* from *hof*, a court, and an extinct root *riusan*, to break, perhaps connected with rush. It is curious that Meyer connects it with the German *rohr*, a reed.

[4] 'Mulier curtis rupturam, quod est *hoveros*, facere non potest; quod absurdum esse videtur ut mulier libera aut ancilla, quasi vir, cum armis vim facere possit' (l. 283).

The next two laws[1] point to the danger to the State arising from the oppressed condition of the slaves or *coloni*.

'How much the wretched dare.'

'If the slaves, by the advice of the country-folk (*rusticani*), shall enter a village with an armed band to do mischief, any free man under the sway of our kingdom who shall put himself at their head shall run the risk of losing his life, and shall at all events pay 900 solidi (£540), half to the king, and half to him to whom the injury was done. If the leader be a slave, and not a free man, let him be put to death. The slaves are to pay 40 solidi (£24), to be divided as aforesaid.'

The second law deals with something like a resisted eviction. Here the *rusticani*, whom I take to be equivalent to *coloni*, are the movers in the tumult, and their punishment is less heavy than that of slaves.

'If for any cause the country-folk shall collect together to make a conspiracy and a sedition, and shall threaten any one[2], or forcibly carry off a slave or a beast which the lord may have wished to remove from the house of his slave, then he who has put himself at the head of the rustics shall die, or redeem his life according to his fixed price, and all who have run into that sedition to do evil shall pay 12 solidi (£7 4*s*.), half to the king, and half to him who has suffered from the act of violence.' Assaults committed by the rustics on the lord attempting to recover his property are to be compounded for according to the before-mentioned tariff. If any of the rustics be killed, no claim for compensation is to arise.

[1] ll. 284, 285.

[2] 'Et cuicumque se anteposuerint.'

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These two laws are of considerable importance for their bearing on the question hereafter to be discussed as to the extent of the application of these laws of Rothari; whether meant for Lombards alone, or for Lombards and Romans equally. It will be noticed that the words of the first law are very general—'any free man under the sway of our kingdom[1].' These words should certainly cover the case of a free but subject Roman as well as of a Lombard. But then it is enacted that he shall be put to death, or shall at least pay a fine of 900 solidi. It may be argued that while the free Roman was to be put to death without question, the free Lombard was to have the chance of redeeming himself by a fine[2]. A somewhat similar alternative is offered in the next law to the ringleader of the rustics, perhaps in view of the same difference of nationality.

Rural life, cclxxxvi–ccclviii.

The seventy-three laws[3] which follow take us over a wide field, and I regret that the space at my disposal does not allow me to copy in detail the picture which they give us of the economic and social condition of the Lombards. More than we might have expected from the inhabitants of a land so rich in cities as Italy, these laws seem to bring before us a population of country-dwellers, I had almost said of country-squires, who still, like their ancestors in the first century, 'shun the continuous row of houses, and settle, scattered over their various homes, as the fountain, the moor or the grove may have caught the fancy of each[4].' We

[1] 'Quicunque liber homo sub Regni nostri ditione.'

[2] 'Animae suae incurrat periculum aut certe componat solidos dcccc.'

[3] ll. 286–358.

[4] 'Nullas Germanorum populis urbes habitari satis notum est,

see them fencing round their meadows with planks or quickset hedges [1], and often trying to claim more than they can thus encompass [2]. One lawless neighbour breaks down the fence entirely, and is fined 6 solidi: or he pulls out one plank or one bough, and has to pay 2 solidi; or whole squares of lattice-work [3], and pays 3 solidi. Another with unjust mind hacks to pieces the woodwork of a plough (which our Lombard kinsmen called *plovum*), or steals the bell from a horse's neck, or the yoke or the harness-thongs from the patient ox. The fine for the first of these misdeeds is 4 solidi; for the other acts, and for most of those offences against rural peace which are about to be enumerated, the fine is 6 solidi.

Vines.

The elaborate laws for the protection of vines show that the Lombards appreciated that slender and delicate tree which is married so happily to the elm everywhere in the rich plain of Lombardy, and by the fame of whose joyous fruitage they themselves, according to the *Saga*, had been tempted into Italy [4]. But we read with astonishment that though the wayfarer might help himself to three grapes without offence, for any taken above that number he must pay the regulation fine of 6 solidi [5].

ne pati quidem inter se junctas sedes. Colunt discreti ac diversi, ut fons, ut campus, ut nemus placuit' (Tacitus, Germania, xvi).

[1] The plank fence is called by a Latin name, 'sepes assiata': the quickset hedge is 'sepes stantaria.' [The Lombardic word for hedge is *iterzon,* Middle High German *ëterzun,* and it seems to mean 'wattled hedge' (cf. *edder* in N.E.D.). See Bruckner, Die Sprache der Langobarden.]

[2] 'Tantum vindicet cujus terra est quantum clausurâ potest defendere' (l. 358).

[3] 'Perticas transversarias' (l. 292).

[4] See p. 62.

[5] 'Si quis super tres uvas de vineâ alienâ tulerit componat

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Dangerous fences.

The announcement that the maker of a hedge by which man or beast is injured or slain will be held responsible for the injury, or even for the homicide, strangely reminds us of modern controversies about barbed wire-fencing; but he who digs a ditch round his plot of land is liable to no claim for compensation for man or beast injured by falling into it, 'because he did it for the safety of his field, and not with guile'; and the same exception applies to the digger of a well, 'because the well-water is a common gift for the benefit of all[1].'

Bee-hives.

We find a similar allusion to natural right in the laws relating to the taking of honey. If a man steal a bee-hive with the bees inside it he pays 12 solidi; if he find a swarm of bees on a tree on which the owner has set his mark, he pays 6 solidi; but if there be no mark on the tree he may take the honey and keep it 'by the law of nature.' Only this 'law of nature' does not apply to the *gahagia*[2] or game-coverts of the king; and even in other forests, if the lord chances to come riding by, the finder of the honey must give it up to him, but shall not be liable to any further blame for taking it.

Young falcons.

A similar rule applies to the finding of young falcons on an unmarked tree. Here, too, the finder may keep

solidos vi: nam si usque tres tulerit, nulla sit ei culpa' (l. 301). 'Uva' may mean not a single grape, but a cluster; but even so the law seems very strict for Italy.

[1] 'Quia putei aqua communis omnium est utilitas' (l. 306).

[2] 'Si quis de arbore signato in silvâ alterius apes tulerit componat sol. vi; nam si signatum non fuerit, tunc qui invenerit jure naturae habeat sibi, excepto *gahagio* Regis, et si contigerit dominus cujus silva est supervenire, tollat sibi ipso (*sic*) mel et amplius culpa non requiratur' (l. 319). *Gahagium* = German *gehege*.

them unless the lord of the forest comes upon the scene. But if on any pretence, from trees marked or unmarked, he takes young falcons from the nest in the king's *gahagium*, he must pay a fine of 12 solidi.

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Horsemanship.

The Lombards were apparently a nation of horsemen, and many laws are devoted to questions connected with matters equestrian. To knock out a horse's eye, or cut off its ear, or do it any other bodily injury, subjected the offender to the penalty of restoring another horse of equal value [1] to that which he had maimed. To cut off the hairs of its tail [2] was punished with a fine of 6 solidi. To make any disfiguring marks upon it, whereby the owner might be prevented from knowing his own, was so obviously the next step to theft that it was punished accordingly by a fine of ninefold the horse's value [3]. To mount another man's horse and ride it about in the neighbourhood was an offence punishable with a fine of 2 solidi; but to take it off on a journey without the owner's leave was virtual theft, and punished by the ninefold fine. But sometimes a man would find himself quite innocently in possession of a horse that did not belong to him. It had come straying into his courtyard, and was doing damage there. What must an honest Lombard do in such a case? He must take the horse to the local

[1] *Ferquido*, a word of rather frequent occurrence, meaning 'equivalent.'

[2] 'Si quis caballi alieni caudam cappellaverit, id est setas tantum comp. soli. vi.'

[3] 'Furti pena sit culpabilis, id est in *ahtugild* sibi nonum reddat' (l. 341). This passage proves that *ahtugild* (eight-fold) and *nonum reddere* have the same meaning. The offender has to restore the stolen animal and eight times its value, that is, *nonum reddere*.

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magistrate or to the congregation assembling at the church door [1], four or five times, and must make proclamation to all men by the voice of the crier: 'I have found a horse and I know not whose it is.' Having done this, if no owner appeared, he might safely keep it and ride it as his own; but when the horse died he must keep a note of the markings on its skin, that he might have somewhat to show to the owner should he at last make his appearance. If he complied with these regulations he was free from all further responsibility; if he failed in any of them he was liable to the ninefold fine.

Perhaps a man who had lost his horse would entrust the quest for it to a servant, telling him the marks by which to know the missing animal, and the searcher would in his ignorance lay hands upon the wrong horse and ride it off to his master's stable. Thereupon the real owner of the second horse appears upon the scene and brings a charge of horse-stealing. Then let him in whose keeping the horse is make solemn oath that the mistake was involuntary, and if he have treated the horse well while it was in his stables he shall be subject to no further action.

Game-laws.

The laws respecting the pursuit of game are numerous, but except for those previously quoted, which imply that the king's own *gahagium* was strictly preserved, they do not seem to indicate that jealous monopoly of the pleasures of the chase which was characteristic of feudal times. If a stag or any other wild creature has been shot by a man it becomes his, but the right of property in it lasts for only twenty-four

[1] 'Ducat eum ad judicem qui in loco ordinatus est, aut certe ante ecclesia (*sic*) in conventus (*sic*).'

hours[1]. If a passer-by finds a wild beast wounded by a hunter or caught in his snares, it is his duty to carry the prize to the hunter, for which he shall be rewarded by the right shoulder and seven ribs[2]. If he conceals the capture, he shall pay the hunter a fine of 6 solidi[3]. If he be injured by a wild beast which has been caught in a snare, he has a right to compensation from the setter of the snare. But if of his own free will and out of desire of gain he goes to such a wild beast, either ensnared or surrounded by dogs, and tries to make it his prey, then the consequences are on his own head, and he has no redress against the first huntsman[4].

If a beast being wounded by the hunter meets a man, and slays him in its fury, the hunter will be held answerable for homicide. But this holds good only so long as the hunter is actually pursuing his quest with his dogs and his artillery. When he has given it up, and turned homewards, he ceases to be liable for the consequences of the rage of the wounded animal[5].

[1] l. 314. [2] l. 312. [3] l. 313. [4] l. 311.

[5] 'Nam si ipsam feram postposuerit et se ab ea *tornaverit* . . . . non requiratur ab eo qui plagavit aut incitavit' (l. 309). Muratori connects this passage with the curious story told by Theophanes, that the Imperial army, fighting against the Avars in Thrace (587), fled in panic because a soldier had cried out *τῇ πατρῴᾳ φωνῇ* to the owner of a baggage mule whose load had fallen off, **τόρνα, τόρνα, φράτρε**. Theophylact Simocatta, whose testimony on the point is even more valuable, as he was a contemporary of Maurice and Phocas, and wrote therefore about two centuries before Theophanes, says, *ἐπιχωρίῳ γλώττῃ εἰς τοὐπίσω τραπέσθαι ἄλλος ἄλλῳ προσέταττε ῥετόρνα μετὰ μεγίστου ταράχου φθεγγόμενοι* (Hist. ii. 15). Mr. Bury (ii. 123, n. 1) considers these words 'the earliest extant specimen of the Roumanian or Wallachian language.' It is curious that such common and widely-spread words as 'turn,' 'return,' and the

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Injury to a female slave, cccxxxix.

This whole section with which we are now dealing is concerned mainly with laws relating to animals, but after reading that he who strikes a cow in calf, and causes her to miscarry, must pay one tremissis (the third part of a solidus), and he who does a similar injury to a mare in foal shall pay one solidus, we are shocked to find[1] that he who strikes another man's female slave, thereby causing abortion, pays only 3 solidi, only half the fine for stealing a horse's halter, or pulling the hairs out of its tail. There is nothing in the Code of this strange semi-barbarous people which goes so far to justify St. Gregory's phrase 'nefandissimi Langobardi' as this.

Lunacy, cccxxiii.

Incidentally to the discussion of injuries wrought by animals (which must, as a rule, be compounded for by their masters) we learn that 'if, as a punishment for his sins, a man becomes rabid or demoniac, and does damage to man or beast, compensation shall not be claimed from his heirs,' and conversely, if he himself be killed while in that state of frenzy, his heirs shall not be entitled to claim *guidrigild* on his behalf.

Herds of swine, cccxlix-cccli.

The various laws about swine and swineherds show that the unclean creature which Virgil does not condescend to notice in the Georgics played an important part in the husbandry of the Lombards. If a man found a herd of swine rooting about in his meadow, he might kill one, and not be asked to compensate the owner[2]. If not in a meadow, but still feeding on land which was not their owner's, he might keep one as a hostage, and claim compensation for the rest at the

like should have travelled into Western Europe from Thrace by way of the Avars and the Lombards.

[1] l. 339.

[2] l. 350.

rate of 3 siliquae (amounting to the eighth of a solidus) per pig [1]. The champion boar of one of these great herds of swine was a valuable animal, and went among the Lombards by the name of *sonorpair* [2], and the theft of this hero among swine was punished by a fine of 12 solidi. But it was ordained that unless the herd consisted of at least 30 swine, its champion should not be considered to have attained to the dignity of a *sonorpair*. The swineherds (*porcarii*) were evidently a quarrelsome class of men, themselves often the slaves of serfs, and two laws [3] are devoted to the special question of the quarrels with 'assault and battery' which arose among them.

Pasture for travellers, cccLviii.

Lastly, to close this agricultural section of the Code, it is ordained that 'no one shall have liberty to deny to travellers the right of grazing their horses, except it be in a meadow at haytime, or in a harvest-field. But after the hay or other crops have been gathered in, let the owner of land only vindicate the possession of so much of it as he can surround by a fence. For if he shall presume to remove the horses of travellers from the stubbles [4], or from the pastures where other cattle are feeding, he shall pay the ninefold fine for these horses because he has dared to remove them from the open field which is *fornaccar* (land that has yielded its crop). We ask ourselves here what it was that the churlish Lombard landowner had to repay in *ahtugild*. It seems hardly credible that it can

[1] l. 351.

[2] From *sunor*, a herd, and *pair*, a boar. 'Dicitur *sonorpair* quia omnes verres in grege battit et vincit' (l. 351).

[3] ll. 352 and 353.

[4] 'De stuplis.'

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have been the actual value of the horse to which he had denied a meal. Was it the computed value of the horse's grazing?

Judicial procedure, ccclix–ccclxvi.

Institution of *sacramentales*.

From these pastoral and agricultural provisions we pass to the laws[1] which regulate the judicial procedure of the Lombards. A rude and primitive kind of procedure it was, one from which the barbarous 'wager of battle' was not yet entirely eliminated, but in which that appeal to brute force was being gradually superseded by a rough, but generally effective appeal to the conscience of the accused person and his friends. For we have now to deal with that system of combined swearing to the truth of a fact, or the falsehood of an accusation, which is generally called *compurgation*, and out of which probably sprang the Anglo-Saxon jury. But as the word 'compurgation' is a term of later introduction—unknown, I believe, to any of the barbaric codes—and as the functions of a modern jury are altogether unlike, almost opposed to those of the fellow-swearers of the Lombard law, we shall do well to avoid the use of either term, and confine ourselves to the word *sacramentales*, which is that always used in the Codes not only of the Lombards, but of the Alamanni, the Frisians, and the Bavarians. The Lombard name for these persons seems to have been *Aidos*, a word obviously connected with the Gothic Aiths, the German Eid, and the English Oath, and meaning swearers; but the Lombard legislator writing in Latin prefers to use the words *sacramentum* and *sacramentalis*, connected of course with the modern French *serment*. The principle involved in this judicial process, so unlike our modern ideal of judicial investigation,

[1] ll. 359–366.

but so widely spread through all the Teutonic nations, was evidently this :—One free German warrior accuses another of a certain offence, say of having stolen his horse, or murdered his slave. The accused man denies the fact; a multitude of his friends gather round him, and echo his denial: it seems as if there would be a bloody quarrel between the two parties. In earlier centuries the matter would have been thus settled by the strong hand, but now in the age of the migration of the peoples, a somewhat clearer vision of a possible 'Reign of Law' has dawned upon the Teutonic mind. In order to prevent the interminable *faida* (blood-feud) from breaking out upon this trivial occasion, it is ordained that a given number of the friends of each disputant shall by solemn oath, either upon the Holy Gospels or upon their weapons of war consecrated by a Christian priest, assert their belief in the truth of the statements made by him whose cause they favour. It may be said, 'And how much further does that process carry you? Of course each group will swear till sunset to the truth of its own side of the question.' Apparently it was not so; there was still much reverence for truth in these rough, Rome-conquering Teutons. They were not like some modern party-politicians, or like a jury of Celtic farmers. They recognised in some degree the inviolable claims of truth, and this old pagan virtue of theirs was reinforced by the awful sanctions of the Church and by the dread of endless torment awaiting him who swore falsely on the Holy Gospels or the consecrated arms. Some rough examination or discussion of the facts of the alleged offence probably took place among the *sacramentales*, and at length it was generally found (this must have been the

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case, or the practice would have fallen into disuse) that on one or other side a 'swearer' yielded to the force of evidence, and admitted either that the plaintiff had failed to make good his attack, or the defendant his defence. When this was done, when either one of the litigants or any of his supporters said 'I no longer dare to swear to the truth of our cause,' then the *sacramentum* was said to be broken, and the beaten party must pay his *guidrigild* if defendant, or if plaintiff must renounce his claim[1].

These appear to be the general principles which governed the trial by *sacramentum*. It has been already remarked how utterly it differed from the trial by jury, which is in a sense its offspring. The modern juror is chosen expressly as a disinterested and impartial person: the *sacramentales* were chosen because they were friends and relatives of one or other of the litigants. The modern juror is exhorted to dismiss from his mind all previous knowledge that he may have acquired of the case, and to judge only on the evidence before him. The *sacramentalis* judged from his previous knowledge, and almost from that alone. Unanimity is required of a modern English jury, and one obstinate juror who holds out against the remaining eleven is an object of general dislike, and is laboured with till he can be brought to a better mind. The one *sacramentalis* who yielded to conviction, and declared

[1] As the 363rd law of King Rothari says: 'Tunc intelligitur sacramentum esse ruptum quando in praesenti sacrosancta evangelia (*sic*) aut arma sacrata, ipse qui pulsatur cum sacramentalibus suis conjunxerint et non ausus fuerit jurare; et si ipse aut aliquis de sacramentalibus ipsius se subtraxerit, tunc intellegatur sacramentum ruptum esse.'

that he durst not swear to the truth of his principal's assertion, was in the Teutonic institution the hero of the day, and it was his act of 'breaking the *sacramentum*' which decided the right and wrong of the dispute.

Course of a Lombard law-suit.

Having thus described the general principle of trial by *sacramentum*, let us briefly consider the manner in which such a trial was conducted according to the legislation of Rothari.

As soon as a matter of dispute arose between two free Lombards, the plaintiff (who was called *ille qui pulsat*) called upon the defendant (*ille qui pulsatur*) to furnish security for the satisfaction of his claim. The defendant then gave some material pledge (*wadia*), probably of no great value, and 'found bail,' as we should say, or in other words prevailed on some one of his friends to act as guarantor (*fidejussor*) that the plaintiff's claim should be duly met[1]. Twelve 'nights' (in Teutonic phrase) were allowed him in which to appear and rebut the claim by his oath, and if, by reason of illness or for any other cause, he failed to do so, twelve more nights were allowed, and so on as excuse was pleaded. But if, on one pretext or other, he evaded his obligation for a whole year, judgment went against him by default. And similarly, he who made the claim, if

[1] There was a close connection between the *wadia* and the *fidejussor*, which was apparently this. The *wadia* was deposited as a material evidence of the defendant's liability to meet the plaintiff's claim. He was, however, bound to give more substantial security by finding a solvent *fidejussor* who would go bail for him, and to whom, on his appearance, the *wadia* was handed over to keep till the termination of the suit. See 'Launegild und Wadia' by Dr. Anton Val de Lievre (Innsbruck, 1877), pp. 165–188. (Unfortunately I only met with this treatise while these sheets were passing through the press.)

he delayed for a whole year to establish it by means of *sacramentales*, lost all right to speak of the claim thereafter, and presumably had to restore the *wadia*. For the rule was, 'Let him who is prepared to give the *sacramentum* have firm possession of the matter in dispute.' If neither party thus made delay, and the cause came on for trial, it was the duty of the plaintiff (if the case were a grave one, affecting values of 20 solidi or upwards[1]) to nominate six *sacramentales* from among the near kindred of the *defendant*. In thus nominating, however, he might not choose any man who was known to be at enmity with his kinsman—for instance, any one who had struck him a blow, or conspired for his death, or who had *thinged* away property to another to which that kinsman had a claim. The defendant associated himself with these six men, and then apparently these seven chose five others, of whom it is only enacted that they should be free men[2]. We should have expected to find that these last five were to be all kinsmen of the plaintiff, to match the six kinsmen of the defendant, but the law is not so written. The group of twelve *sacramentales* thus collected then proceeded to swear as to the rights of the case on the Holy Gospels, and it would seem that they must have gone on swearing until the strain upon the conscience became too great to be borne, and the *sacramentum*

[1] But how if the cause of action were not civil, but criminal? The answer is, that under the system of *guidrigild* every cause (with a few very rare exceptions) was capable of being translated into the language of a civil action.

[2] 'Ad evangelia sacra juret cum xii *aidos* suos, id est sacramentales: ita ut sex illi nominentur ab illo qui pulsat, et septimus sit ille qui pulsatur, et quinque *quales voluerint liberos*' (1. 359).

was broken by the defendant or one of his kinsmen refusing to swear any longer. If this did not happen, we must suppose that judgment was given for the defendant. Truly a strange way of arriving at truth in litigation, and one which seems unduly to favour the defendant, but in practice it cannot have been a complete failure, or men would not have continued to use it for centuries. If the cause were less important, represented by a value between 12 and 20 solidi (£7 4*s.* to £12), there were only six *sacramentales*, three chosen by the plaintiff, and two by the defendant, who himself became the sixth. And the whole number swore, not on the Gospels, but on the consecrated arms [1]. If the matter in dispute were of less value than 12 solidi there were only three *sacramentales*, the defendant, the nominee of the plaintiff, and a third chosen by both. They swore simply *ad arma*, apparently without any special religious rite. There are various provisions with which I need not now weary the reader, for the case of the death of a litigant or a *sacramentalis* before the cause was decided, but the following law is worth quoting entire: 'If a man be attacked (*pulsatus*) by another on account of any fault, and denies it, let it be lawful for him to justify himself (*se idoniare*) according to the law and the gravity of the accusation (*qualitatem causae*). But if he shall openly proclaim that he committed it, let him pay composition according to that which is set down in this Edict; for it shall not be allowable for any man after he has openly confessed, afterwards to deny by *sacramentum* the guilt which he has once admitted.

[1] 'Ad arma sacrata.' We have, I think, no further information as to the ceremony here alluded to.

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Because we have known many in our kingdom who have set up such wicked contentions. These things have moved us to correct them by the present law and bring them to a better state of mind.'

Camfio (wager of battle).

Besides this system of trial by *sacramentales*, there evidently still survived the older and yet more barbarous system of the *camfio*[1], the warrior who offered what our forefathers called 'wager of battle.' As to this practice the laws unfortunately give us scarcely any information. We are told, however, that certain questions, such as the legitimacy of a son, the murder of a wife by her husband, the right to the *mundium* of a married woman, were to be decided by free *sacramentales*, 'because it appears to us unjust that so grave a matter should be disposed of in battle by the resisting power of one man's shield[2].' On the other hand, the man who has in anger called a free woman (in another man's *mundium*) a harlot or a witch, if he repeats the charge in cold blood and maintains its truth, must prove it by a *camfio*. The woman accused of plotting the death of her husband may prove her innocence either by the *sacramentum* or by persuading some *camfio* to fight in her behalf.

It was ordained[3] that no *camfio* in going forth to the judicial combat should presume to carry upon his person magical spells[4] or anything of that kind. 'Let him bring only the stipulated arms, and if any suspicion arise that he is privily wearing articles of magic, let

[1] Connected, as was before pointed out, with the modern German *Kampf*, and our *champion*.

[2] 'Quia injustum videtur esse ut tam grandis causa sub uno scuto per pugnam dimittatur' (ll. 164–166).

[3] By l. 368.

[4] 'Maleficia.'

enquiry be made by the judge; and if any such be found upon him, let them be torn out and cast away. And after these enquiries let the *camfio* himself lay his hand in the hand of his comrade[1] in the presence of the judge, and declare in a satisfactory manner[2] that he has nothing pertaining to enchantment on his person. Then let him go to the encounter.'

Waregango (privileged alien), cccl xvii.

An important law[3] defines the position of the *waregango*, or foreigner who has come to settle in the land 'under the shield of our royal power[4].' It is declared that men of this class ought to live according to the laws of the Lombards, 'unless they have obtained from our Piety the right to live according to some other law. If they have legitimate sons, let them be their heirs just like the sons of the Lombards; but if they have no legitimate sons, they shall have no power to *thing* away their property, or to alienate it by any other form of conveyance without the king's command.' The language of this law clearly shows that there were other laws besides those of the Lombard invaders prevalent within the peninsula; but here, as in a previous enactment, 'living according to the laws of the Lombards' seems to be spoken of as rather a duty than a privilege. Probably the explanation at any rate of this law is, that the king's court was determined to keep its grasp on the property of these wealthy *waregangi* in the event, perhaps a frequent event, of their dying without legitimate male issue.

This tendency of the king's court to enforce and

[1] 'Conlibertus' here apparently='backer' or 'second.'

[2] 'Ante judicem satisfaciens dicat.' [3] l. 367.

[4] The *waregango* of Lombard law is the μέτοικος of Athenian, the *peregrinus* of Roman law.

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Claims of the king's exchequer, ccclxix–ccclxxiii.

exaggerate all pecuniary claims against the private individual (a tendency which may be partly excused by the fact that apparently there was no regular system of taxation in the Lombard state) is further manifested by laws 369 to 373. In all cases in which the king is interested as plaintiff, the composition payable to him is to be double that payable to a subject, the only exceptions being that of forcible abduction and marriage of a woman, or murder, in both of which the already heavy fine of 900 solidi is not to be exceeded. If a slave of the king commit murder, the king's court will pay the prescribed *guidrigild*, and the slave will then be hung over the dead man's grave; but in all cases involving the fine of 900 solidi the king's court is not to be called upon to pay the fine, though the slave will incur the risk of capital punishment.

Then, further, for the protection of the officers of the court who are executing the orders of their lord, it is enacted that if a *sculdhaizo* (which we may perhaps translate 'justice of the peace') or other agent of the king[1] is killed or assaulted in the performance of his duty, the offender shall, over and above the ordinary *guidrigild*, pay a fine of 80 solidi (£48) to the king's court[2]. But in order to guard against those abuses of official position for the sake of private gain, which in the days of the Roman Republic made the government of the provinces a byword, it was enacted that no *gastaldius*[3] receiving any gift by *gairethinx* from a private person during his tenure of office should be allowed to retain such gift except by a special

[1] 'Actor regis.'

[2] l. 374.

[3] Revenue officer or Royal Intendant.

'precept of the king's indulgence.' Without such express sanction any property acquired by him during his administration went straight into the grasp of the king's court [1].

Lombard superstitions: vampires and witches, cclxxvi.

The Lombards, as may be discerned from the character of their early sagas related to us by Paulus, were a somewhat superstitious people, haunted by the fearful and shadowy forebodings of the German forest-life, and especially afraid of the mysterious might of women who were in league with the powers of darkness. Hence the words *striga* and *masca*, signifying 'witch,' were terms of deadliest insult; and it was ordained (as we have seen) that any man (except a father or a brother) who had the *mundium* of a woman, forfeited that profitable guardianship if he called her by either of these opprobrious names [2]. Apparently some of the strange old superstitions about blood-sucking vampires increased the horror of these words, for, says the legislator, 'Let no one presume to kill another man's *Aldia* or female slave on the ground of her being a *striga*, which is commonly called *masca*. It is a thing not to be conceived of by Christian minds as possible that a woman can eat a living man from inside him. Therefore the penalty for any such offence shall be 60 solidi (£36), in addition to the ordinary *guidrigild*; half of the fine to go to the owner, and half to the king's court. And if any judge shall have ordered the man to do that wicked deed, he shall pay the above-written penalty out of his own pocket [3].'

[1] l. 375.

[2] l. 198.

[3] l. 376.

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Some curious belated laws about the fines for various forms of bodily injury form the conclusion of the Code.

A brawling woman, cclxxviii.

I will not describe them here, but will end with one strange provision as to the death of a 'brawling woman':—

'If a free woman rushes into a brawl[1] where men are striving, and receives a wound or a blow, or is slain, she shall be paid for according to her nobility[2]; and the composition shall be so paid as if it had been the woman's brother against whom the offence had been committed. No further blame [on account of her being a woman] shall be attached to the offender, nor shall the [regular] fine of 900 solidi be exacted, seeing that she herself rushed into the quarrel, because it is an indecent thing for a woman so to do[3].'

'Compounded for according to his price' (?).

It will be seen that here the expression is used that the slain woman is to be compounded for 'according to her nobility;' and in several of the laws of Rothari, especially the later laws, we have a similar expression: 'let him be compounded for according to his computed price' (*sicut appreciatus fuerit*). These words raise one of the most difficult questions in connection with Lombard jurisprudence. In most of these barbarian codes, as is well known, we have a nicely graduated table of social distinctions, with corresponding varieties in the *weregild*[4] paid for each. Thus according to

[1] 'In scandalum cucurrerit' (l. 378).

[2] 'Apprecietur secundum nobilitatem suam.'

[3] By law 201 it is provided that if any one *asto animo* (with malice prepense) kills a free woman he shall pay 1200 solidi. It is suggested by Davoud Oghlou (ii. 20) that this is made up of 900 fine, and 300 *guidrigild*. Troya (iv. 2. 357) suspects the error of a copyist.

[4] = *guidrigild*.

the Alamannic Code, the life of a member of the most noble class (*priorissimus Alamannus*) is appraised at 240 solidi; of the middle class of nobility (*medianus Alamannus*) at 200 solidi; of the *minoflidis*, or simple free man, at 160 solidi. Among the Salian Franks the murderer of an *antrustion* or *grafion* (men belonging to the two highest classes of nobility) had to pay 600 solidi; of a *sagibaron* or legal assessor of the court 600 or 300 solidi, according to his rank; and of a Roman *conviva regis* (king's guest) 300 solidi. Among the Ripuarian Franks the *weregild* of a bishop was 900 solidi; of a priest 600; of a deacon 500; of a sub-deacon 400; and so in several other instances. Now these words, 'according to her nobility,' and 'as he shall have been appraised,' clearly point to some such gradations of *guidrigild* among the Lombards also, but it is not easy to find it in the Code. We have, it is true, the distinction between the compositions for a free man, an *Aldius*, and a slave, but there the differentiation apparently ends. What is the reason of this strange silence? An Italian commentator[1], whose main thesis is the utter subjugation and servitude of the Romans under the Lombard yoke, maintains that the silence was intentional, and veiled one of the state secrets (*arcana imperii*) of the conquerors. He calls that secret the *variable guidrigild*, and asserts that the composition to be paid for a slain Lombard noble being written down in no code, remained hidden in the breast of the governor, and might be imposed by him according to his will. This variable *guidrigild* he asserts to have been one of the

[1] Troya, iv. 2. 377.

main instruments used by the conquering tribe to keep their vanquished neighbours in a state of semi-servitude. This theory may be true, but I confess that I have not yet met with any adequate proof of it. To me it seems more probable, either that the tariff of composition for a slain or wounded noble has been omitted for some reason or other by the copyists of Rothari's manuscript, or that it was never inserted in the Code because it was so well known to all men that its rehearsal seemed unnecessary.

Rothari's Peroration.

We come now at last to the conclusion of the whole matter; to the 'Peroration of King Rothari,' which, like the Prologue, shall be translated in full[1]:—

'We now confirm this Edict, which by God's grace we have composed after earnest study and long vigils. By the Divine favour we have persevered in our task, enquiring into and calling to remembrance the ancient laws of our fathers. Those which were not written we have nevertheless learned; and we have added to them those things which seemed to be expedient for the common welfare of all, and of our own race [in particular]; acting herein with the advice and by the consent of the nobles, the judges, and all our most prosperous army[2]; and we now order them to be written down on this parchment, with this one reservation, that all things which by the Divine clemency have been ascertained by our own accurate enquiry, or which old men have been able to remember concerning the ancient laws of the Lombards, are to be

[1] But translation must be partly paraphrase, for the construction of the king's sentences is hopelessly bad.

[2] 'Pari consilio parique consensum (*sic*) cum primatibus judicibus, cunctoque felicissimo exercitu augentes constituimus.'

subjoined to this Edict[1]. We add, moreover, hereto our confirmation by *gairethinx*, that this law may be firm and enduring, and that both in our own most prosperous times and in all time to come it may be kept inviolably by all our successors.

'Here ends the law which King Rothari with his noble judges[2] has renewed.'

There is, however, appended to the Edict a provision that all causes already decided shall be left undisturbed, but that any which are still in progress on that twenty-second day of November, of the second Indiction (643), shall be decided according to the provisions of the Edict. Also that no copies of the Edict are to be deemed authentic but those which are written or attested by the hand of Answald the notary.

Thus then did King Rothari, standing on a spear, or holding a spear in his hand, in the assembly of the chiefs of his nation in the palace at Pavia, solemnly confirm by the ceremony of *gairethinx* the Code which contained the laws and customs of his barbaric forefathers, with such additions as the statesmen of his kingdom, after seventy-six years of residence on the soil of Italy, deemed it advisable to append thereto. But he and they were dwelling in a land which had witnessed the birth and development through nearly a thousand years of the most comprehensive and the

[1] Possibly the missing table of *guidrigilds* for men of higher rank than the simple free man, which seems necessary for the explanation of the words '*sicut appretiatus fuerit*,' was part of the legislation, which according to this proviso was to be afterwards appended to the Edict.

[2] 'Cum primatos judices suos.'

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most scientific system of jurisprudence that the world has yet seen. The Roman Law, as codified by Justinian, was then in force at Ravenna and at Naples, as it is now, with necessary modifications, in force at New Orleans and at Batavia. Yet to this Code, one of the most splendid achievements of the human intellect, King Rothari and his peers do not refer in one line of their Edict. Their only mention of the great name of Rome, as has been already pointed out, is in that passage where an injury done to a Roman female slave is assessed at a lower rate than a similar injury to her Teutonic fellow-sufferer. And so the Lombard invaders, like children, repeat the lessons which they have learned from their forefathers of the forest, and try to fit in their barbarous law terms into the stately but terribly misused language of Latium. Throughout, Roman ideas, Roman rights, the very existence of a Roman population, are not so much menaced or invaded, as calmly ignored. The Code of Rothari, promulgated on the sacred soil of Italy, in a land which had once witnessed the promulgation of the Code, the Institutes, and the Digest of Justinian, is like the black tent of the Bedouin pitched amid the colonnades of some stately Syrian temple, whose ruined glories touch no responsive chord in the soul of the swart barbarian.

CHAPTER VI.

GRIMWALD AND CONSTANS.

Authorities.

Sources:—

PAULUS; the LIBER PONTIFICALIS (otherwise called 'Anastasius'); and, for the sufferings of Pope Martin, a contemporary document called 'Commemoratio eorum quae saeviter et sine Dei respectu acta sunt . . . in sanctum et apostolicum novum revera Confessorem et Martyrem Martinum papam.' I take my quotations from this document from Baronius.

Guides:—

'Imperatori e Papi,' by *Bart. Malfatti*, an admirable sketch of the mutual relations of the Emperors and the Popes.

Bury's History of the Later Roman Empire (London, 1889).

THE central figure of Lombard history in the seventh century is (as I have already said) King Grimwald. It is true that his reign (662–671) was not a long one, but it was filled with important events, and included the most serious encounter with the power of the Eastern Empire that had been witnessed since Alboin entered Italy. Moreover, the events of his early and middle life attached a kind of romantic interest to his career which powerfully affected the imaginations of his countrymen. No name, we may safely say, except those of Alboin and Authari, was dearer to the Lom-

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bard minstrel than that of Grimwald, and if he has therefore invested him with a robe of beautiful *Saga*, every fold of which may not accurately correspond to the truth of history, we can easily pardon the illusion for the sake of at last finding a man who is something more than a mere name in a pedigree. Telling the tale as it is told us by Paulus, I have already related[1] how Grimwald, son of Gisulf, duke of Friuli, was carried captive by one of the terrible Avar horsemen,—how, though little more than a child, he slew his unsuspecting captor and rejoined his flying brethren; how, after his two elder brothers had been basely assassinated at Opitergium by a treacherous Exarch, Grimwald and his brother Radwald, disdaining to be subject to their uncle, who succeeded to the duchy of Friuli, betook themselves to the court of the old friend of their family, Arichis, duke of Benevento. It has also been told[2] how Aio, the hypochondriac son of Arichis, after a short reign (641–642) was slain by the Sclavonian invaders, and how he was succeeded by his kinsman and friend, Radwald (642–647), and he in turn by Grimwald, who reigned for fifteen years (647–662) as duke of Benevento. We have now to trace the course of events which made the fugitive prince of Friuli and the guest-friend of Benevento king in the palace at Pavia, and lord of all Lombard Italy.

Early years of Grimwald.

He succeeds to the dukedom of Benevento, 647.

Rothari, the legislator of the Lombards, died in the year 652[3], and was succeeded by his son ROD-

[1] See pp. 53–55 and 58–61. [2] See pp. 79–81.

[3] Paulus tells us (H. L. iv. 47) in connection with the death of Rothari a story of the plunder of his grave in the basilica of St. John the Baptist, probably at Monza. St. John appeared to the

WALD [1], whose short and inglorious reign (of five months and seven days) was ended by the sword or the dagger of a Lombard whose wife he had seduced [2]. He was succeeded by ARIPERT, nephew of the great queen Theudelinda, whose family, as has been before said, was the stock from whence most of the Lombard kings were drawn throughout the seventh century. Of the reign of Aripert, which lasted nearly nine years (653–661), all [3] that we learn is that he built, adorned, and richly endowed a church in honour of the Saviour outside the western gate of Pavia, which was called Marenca [4]. On his death he was succeeded by his

Rodwald king of the Lombards, 652.

Aripert I, king, 653–661.

robber in the visions of the night, and sternly rebuked him for violating the grave of one who, though not a true believer, had commended himself to the saints' protection. Thereafter whensoever the criminal sought to enter St. John's Church, he was struck on the throat by a blow as if from a very strong fist, and rushed back discomfited. This portent was related to Paulus by an eye-witness. [Hartmann (Gesch. Italiens, II. i, p. 275) puts Rothari's death between 29th October 652 and 22nd March 653.]

[1] Not to be confounded with Radwald, brother of Grimwald, whose name is also spelt Rodwald.

[2] In connection with Rodwald we have on two points to distrust the authority of our usually trustworthy guide Paulus. (1) He makes him, instead of his father, the husband of Gundiperga, about whom he tells the story of her slandered honour, and its vindication in single combat by 'proprius servus ejus Carellus.' All this is evidently transposed from the reign of Rothari. (2) He makes the duration of Rodwald's reign 'five *years* and seven days.' It is generally agreed that *annis* here is a mistake for *mensibus*.

[[3] Hartmann (II. i, p. 245) remarks with good probability that Aripert was Catholic and Imperialist in his sympathies, and that his elevation to the throne meant therefore the reversal of Rothari's policy.]

[4] This gate, now unfortunately replaced by one of modern date called the Porta di Borgoratto, was perhaps named after the Marici, one of the two Gaulish tribes (the other was the Laevi)

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Perctarit and Godepert, 661–662.

two sons, PERCTARIT[1] and GODEPERT, who reigned, the one at Milan and the other at Pavia[2]. It was the first time that the Lombards had tried the Frankish plan of a royal partnership; and that without the justification which might be supposed to exist in the case of the vast Frankish Empire, for the two royal cities of the Lombards were only twelve miles asunder. The experiment answered as ill with the sons of Aripert as with any of the fratricidal posterity of Clovis.

Civil war between the brothers.

Jealousies and suspicions soon arose between the two brother kings, and the discord, fanned by artful councillors on both sides, broke out into an open flame of war.

Grimwald's intervention solicited by Garipald.

Hereupon, Godepert sent Garipald, duke of Turin, to sue for the help of Grimwald, duke of Benevento, promising him the hand of his sister as a reward for his championship. But Garipald, dealing deceitfully with his master, suggested to Grimwald that he should himself strike a blow for the Lombard crown, pointing out, with some truth, that a strong, experienced and fore-seeing ruler like himself would be better for the nation of the Lombards than these weak youths who were wasting the strength of the realm by their unnatural contest. The temptation was listened to, and Grimwald, having nominated his son Romwald to the duchy of Benevento, set forth for Pavia with a chosen band of warriors.

March of Grimwald.

Everywhere on the road he gathered friends and helpers for his now scarcely veiled designs on the supreme power. Transamund, count of Capua, being sent through the

who, according to Pliny, H. N. iii. 17, were the founders of Ticinum.

[1] Evidently nearly allied to the Anglo-Saxon name Berhtred, and to the Frankish Berthar.

[2] See genealogy on p. 148.

662.

regions of Spoleto and Tuscany, collected a band of zealous adherents in those two duchies, with whom he met Grimwald on the Aemilian Way. So the host, with ambiguous purpose, rolled on through the valley of the Po; and when Grimwald had reached Piacenza, he sent the traitorous Garipald to announce his coming to Godepert. 'And where shall I receive him?' asked the inexperienced and misdoubting king. 'You have promised him the hand of your sister,' answered Garipald, 'and cannot do less than assign him quarters in the palace. Notwithstanding, when the solemn interview takes place between you, it might be pru dent to put on a coat of mail under your royal robes. for I fear that he has designs on your life.' With similar words did the cunning deceiver poison the mind of Grimwald: 'Go to the interview well armed; be vigilant; I doubt the designs of Godepert. I hear that he wears a coat of mail under his mantle.' Accordingly, Grimwald and his followers entered the palace of Pavia, and on the next day the duke of Benevento was ushered into the hall of audience. The two men met apparently in friendly embrace, but even in the act of embracing, Grimwald felt the coat of mail under the regal mantle of his host. The dark suggestions of Garipald seemed in that moment to be verified; and, slaying that he might not be slain, he drew his sword and killed the hapless Godepert. All disguise was then thrown off, and GRIMWALD reigned as king in Pavia. The infant son of Godepert, named Raginpert, was conveyed away to some safe hiding-place by the trusty servants of the late king, and Grimwald, despising his tender years, made no effort to arrest him.

Death of Godepert.

Grimwald king of the Lombards. 662-671

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662. Flight of Perctarit.

When Perctarit, reigning at Milan, heard the tidings of his brother's murder, fearing that he would be the next victim, he left the country with all speed and sought refuge at the barbarous court of the Khan of the Avars. His wife Rodelinda and his little son Cunincpert fell into the hands of Grimwald, who sent them for safe-keeping to Benevento. Except for the one foul deed, the murder of Godepert, into which he was entrapped by the perfidious counsels of Garipald, the hands of Grimwald were unstained by innocent blood.

Assassination of Garipald.

As for Garipald, the contriver of all this wickedness[1], he did not long rejoice in the success of his schemes. He had indeed deceived his employers all round, for he had embezzled some part of the presents which he had been ordered to carry to Benevento[2]. The discovery of this fraud would probably before long have alienated from him the new king's favour, but more speedy vengeance overtook him. A certain dwarfish retainer of Godepert, born at Turin, burned to avenge the murder of his master. Knowing that Duke Garipald was coming on Easter Day to pray in the basilica of St. John[3], he hid himself in the church, climbing up above the baptistery, and holding on by his left arm to the column which supported the canopy[4]. When

[1] In the minstrels' songs evidently Garipald was always used as the villain of the story. He is, in the words of Paulus, 'totius nequitiae seminator,' 'fallendi artifex,' 'talium operum patrator' (H. L. iv. 51).

[2] This appears to be the meaning of the words of Paulus, 'dum munera, quae deferre Beneventum debuerat, non integra deportasset.'

[3] At Pavia? I think so, but it is not clearly stated by Paulus.

[4] 'Super sacrum baptisterii fontem conscendens, laevâque manu

the duke entered the church the little Turinese drew his sword, but kept it concealed under his robes. As soon as Garipald came under the place of his hiding, up flew the robe, out flashed the sword, wielded with all the strength of which the dwarf was capable, and the head of Garipald rolled on the pavement of St. John's basilica. All the followers of the duke rushed upon the dwarf, and pierced him with many wounds. But the little champion died happy, for he had avenged his master.

Grimwald's second marriage.

Grimwald, now, without a rival, king of all the Lombards, took for his second wife the sister of the slain Godepert, who had been betrothed to him before he set out from Benevento. He was probably twice as old as his new queen, but he was a man who, if there had not been that stain of kindred blood upon his hands, might have won the love even of a young bride. Tall, with wellknit limbs, with bald head and full flowing beard, he was, by the admission of all, a man of absolutely dauntless courage, and as great in counsel as in war[1]. Secure in the affections of the Northern Lombards, he sent back the mass of his Beneventan army to their homes, enriched by great gifts, but retained a few of the leaders at his court, endowing them with large possessions.

Embassies about the exile Perctarit.

But though Grimwald was not by nature cruel or suspicious, the thought of the exile Perctarit could

se ad columellam (*al.* columnellum) tugurii continens.' *Tugurii* seems to be a corrupt reading for *tegorii*; *tegorium*, according to Ducange, is nearly equivalent to *ciborium*.

[1] 'Fuit autem corpore praevalidus, audaciâ primus, calvo capite, barbâ prominenti, non minus consilio quam viribus decoratus' (Paulus, H. L. v. 33).

not but sometimes threaten the solidity of his throne. He sent an embassy to the Khan of the Avars, offering him a *modius*[1] full of golden coins if he would surrender the fugitive into his hands. But the barbarian, who had sworn by his idol to Perctarit that he would never abandon him to his foes, replied, 'Without doubt the gods would slay me if I sacrifice this man whom I have sworn in their presence to protect[2].'

Another embassy came, not this time offering gold, but warning the Khan that the peace which had now long time subsisted between the Avars and the Lombards would not endure unless Perctarit departed from his borders. Evidently the Avars were weaker[3], or the Lombards stronger, than in the day when Grimwald's own home was ravaged, and himself all but carried into captivity by these terrible barbarians from the Danube. And now the Khan, while still

[1] About a quarter of a bushel.

[2] We get the story of this embassy from the life of St. Wilfrid, whose enemies sought to draw King Perctarit into their schemes against him when he was travelling in Italy many years after the events with which we are now dealing. King Perctarit himself tells the story. 'Fui aliquando in die juventutis meae exul de patriâ expulsus sub pagano quodam rege Hunnorum degens, qui iniit mecum foedus in deo suo idolo, ut nunquam me inimicis prodidisset vel dedisset. Et post spatium temporis venerunt ad regem paganum sermone inimicorum meorum nuncii, promittentes sibi dare sub jurejurando solidorum aureorum modium plenum, si me illis ad internecionem dedisset. Quibus non consentiens dixit "Sine dubio dii vitam succidant, si hoc piaculum facio irritans pactum deorum meorum"' (Life of St. Wilfrid by Eddius, quoted by Waitz in his edition of the Historia Langobardorum).

[3] Probably this was the case. The revolt of the Bulgarians against the Avars must have considerably weakened their power. (See Bury, History of the Later Roman Empire, ii. 333.)

faithful to the oath which he had sworn in the presence of his idol, and refusing to surrender Perctarit to his foes, appealed to the generosity of his guest to go whither he would, but not to involve him in war with the Lombards. Thus adjured, Perctarit determined to return to Italy, and throw himself on the clemency of the new king, for all men said that Grimwald was merciful. Having arrived at Lodi, he sent forward a faithful henchman named Unulf, who announced to Grimwald Perctarit's approaching arrival, and received an assurance that since he thus trusted to the king's honour, he should suffer no harm. When admitted to the royal presence Perctarit sought to throw himself at Grimwald's feet, but was gently restrained from that humiliation, and received the kiss of peace. Said Perctarit, 'I am thy servant. Knowing thee to be most Christian and kind, I determined, instead of continuing to dwell amongst Pagans, to trust thy clemency, and come to throw myself at thy feet.' The king renewed his promise, and sealed it with his accustomed oath: 'By Him who gave me life, since thou hast come into mine allegiance, no harm shall happen to thee, and I will arrange that thou shalt have the means of living in comfort.' He then invited the weary fugitive to rest in a spacious dwelling, ordering that all his needs should be sumptuously supplied from the public treasury. But when Perctarit reached the guest-house provided for him by the king, troops of the citizens of Pavia waited upon him to renew their old acquaintance. Whispering tongues reported these visits to Grimwald, assuring him that Perctarit was forming so large a party in the city that he would undoubtedly deprive

Perctarit's return.

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the reigning king of his crown and life together. Again Grimwald listened to the fatal suggestion, 'Slay or be slain,' and forgetful of his sworn promise, began to plan the death of the innocent and unsuspecting Perctarit. The deed was to be done on the morrow, and meanwhile Perctarit was to be intoxicated that he might not perceive his danger and escape. A great banquet was prepared in Perctarit's dwelling, and was shared by many guests. Costly meats and various kinds of wine were brought from the king's table to Perctarit, and he feasted right royally. But one of his father's old servants bringing to the guest a portion from the royal table, bowed so low in salutation that his head went below the board, and then whispered, 'The king has a purpose to slay you.' At once Perctarit gave a sign to the butler who waited upon him to fill his silver goblet with water only. Messenger after messenger brought generous wines from the king, and Perctarit seemed to drink them eagerly, while really imbibing only water. The servants carried back to the king the tidings that Perctarit was drinking heavily, to which Grimwald coarsely replied, 'Let that drunkard drink to-day: to-morrow he will disgorge the wine mingled with blood.' Meanwhile Perctarit found means to communicate with Unulf, and tell him of the impending danger. Then Unulf sent a servant to his own house with orders to bring his bedding from thence, and spread his couch beside that of Perctarit. The guards whom Grimwald had by this time stationed to watch the doors of Perctarit's abode saw the slave enter with the bedding, and then after the supper was ended and all the other guests departed, they saw Unulf

The banquet.

emerge, attended apparently by a young slave, whose head and neck were covered by the bed-clothes, the counterpane and the bearskin, under the weight of which he staggered. His brutal master urged him on with blows and curses, and more than once the over-loaded youth fell to the ground while trying to escape from the blows. When they came to the place where the king's sentries were posted, these naturally enquired what was the matter. 'My rascal of a slave,' said Unulf, 'spread my couch in the chamber of that tipsy Perctarit, who has filled himself with wine, and now lies like a corpse on the floor. But I have followed his mad courses long enough. So long as my lord the king lives, I shall henceforward stay in my own house.' When the guards heard this they were glad, and let Unulf and the slave (who of course was Perctarit in disguise) pass without further question. Meanwhile Perctarit's valet[1], who was the only other person that had been left in the house, made fast the door, and all was settled for the night. But Unulf let Perctarit down by a rope from a corner of the city wall overlooking the river Ticinus, and he, meeting with some of his friends, galloped away with them on some horses which they found grazing in the meadows, and the same night reached the city of Asti[2], which had not yet submitted to Grimwald, but still held out for the lost cause. Thence one rapid journey to Turin; and the fugitive disappeared over the ridges of the Alps into the friendly country of the Franks. 'Thus,' says Paulus, 'did Almighty God

Perctarit's escape.

[1] *Vestiarius.*

[2] The same which Alaric besieged unsuccessfully in 401; see vol. i, p. 284 (713, 2nd edition).

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by His merciful providence deliver an innocent man from death, and at the same time preserve from blood-guiltiness a king who really desired to do what was right.'

The morrow of the escape.

Morning came; the guards still paced up and down before the dwelling of Perctarit; at last the messengers of the king came and knocked at the door. The valet answered from within, 'Have pity on him, and let him sleep a little longer, for he is weary with his journey and is wrapped in deep slumber.' The messengers returned and told their tale to the king, who at once attributed Perctarit's heavy sleep to the potations of the preceding evening. 'But it is time to rouse him now, and bring him to the palace,' said the king. The messengers returned, knocked louder at the door, and were again entreated by the valet to let his master sleep a little longer. 'The drunkard has slept long enough,' said they in a rage, kicked open the door of the chamber, and rushed to the bedside. Finding no Perctarit there, and having hunted for him all over the house, they asked the valet what had become of his master. 'He has fled,' said the servant, who saw that further evasion was impossible. In their fury they seized him by the hair, and with many blows they dragged him into the presence of the king, clamouring loudly for his death as an accomplice in the flight of Perctarit. But the king ordered them to loosen their hold of the prisoner, and commanded him to tell the whole story of the escape. When the tale was ended, Grimwald said to the bystanders, 'What think you ought to be done to the man who has wrought such a deed as this?' They all with one voice exclaimed that 'killing was not enough for him, but he

ought to be put to death with many torments.' 'By Him who gave me life,' said Grimwald, 'the man is worthy of great honour who feared not to expose himself to death for the sake of his master. Let him be taken into my service as a valet.' And with that he promised him great gifts, exhorting him to render to himself the same faithful service that he had rendered to his late lord. Unulf, for whom the king then enquired, had taken refuge in the church of St. Michael, but, receiving the royal promise of his safety, came forth, entered the palace, and threw himself at the feet of the king. From him, too, Grimwald would fain learn the whole story of the escape, and when he heard it he greatly commended his prudence and fidelity, and issued an order that he should be left undisturbed in the possession of all his property [1]. After some time had elapsed, the king asked Unulf whether he now ever regretted not being with Perctarit, to which he answered with a solemn oath that he would rather die with Perctarit than live anywhere else in uttermost delights. The valet gave the same answer when asked whether he would rather be with the king in his palace or with his late master in his wanderings. Their words met with a kindly reception from Grimwald, who praised their loyalty to their lord, and bade Unulf take from his palace what he would, slaves or horses or household furniture, and hasten to the master of his choice. The valet, too, received the same gracious dismissal, and with the help of the

[1] Or perhaps bestowed upon him the property of Perctarit. 'At ille cum ei cuncta ex ordine retulisset, rex ejus fidem et prudentiam conlaudans, omnes ejus (?) facultates et quicquid habere poterat eidem clementer concessit' (H. L. v. 3).

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king's safe-conduct, and loaded with his generous presents, they entered France, and were again with their beloved Perctarit[1].

Frankish invasion.

It may possibly have been the flight of Perctarit into Frankish territory that disturbed the peaceful relations of the two kingdoms; but, whatever was the cause, an army of the Franks, the first that had been seen in Italy in that century, crossed the Maritime Alps, and threatened the throne of Grimwald. They were defeated by an easy stratagem, which speaks ill for the discipline to which they had been subjected. Grimwald having pitched his camp near to theirs, feigned panic and flight, leaving his tents with all their treasures, and especially with good store of wine, open to the invaders. They came, they plundered, they drank, and at night, while they were stretched in the heavy slumber of drunkenness, Grimwald and his warriors came upon them and slew so great a multitude that few found their way back to their own land. The slaughter—battle it can hardly be called—took place at Frenchmen's River, a village not far from the walls of Asti. Thus the 'walls of avenging Asta,' as Claudian called them, a second time witnessed the repulse of an invader[2].

Emperor Constans II, 642–668.

But a more formidable foe than the weak Merovingian king or his Mayor of the Palace was to trouble the repose of Lombard Italy. Constans II, the grand-

[1] 'Qui omnia sua secundum benignitatem regis sufficienter tollentes, cum ejusdem regis adjutoris Francorum in patriam *ad suum dilectum* Perctarit sunt profecti' (H. L. v. 4).

[2] 'Qui locus, ubi hoc gestum est proelium, *Francorum* usque hodie *Rivus* appellatur, nec longe distat ab Astensis civitatulae moenibus' (H. L. v. 5). The fact that the battle was fought near Asti looks as if that place were still holding out for Perctarit.

son of Heraclius, and the heir of his grandfather's fitful energy and of some of his grandfather's genius, conceived the idea of becoming in fact as well as in name Emperor of Rome. It will be desirable here briefly to retrace the earlier stages of his career, and at the same time to take up some dropped stitches in the history of the Popes and Exarchs during the years preceding his invasion of Italy. Constans II (or, as he is more correctly called, Constantine IV) was born in the year 631, and in 642, when only a boy of eleven, found himself by the death of his father [1], the dethronement of his uncle [2], and the exile of his grandfather's widow, the ambitious and unscrupulous Martina, sole Emperor of the Romans. A military *pronunciamento* had prepared the way for his accession, but in the speech which he made to the Senate of Constantinople after the downfall of his rivals, he expressed his desire that he might have the Senators as his counsellors, and judges of that which should be for the welfare of his subjects [3]. This probably means that during the early years of his sovereignty the government was practically in the hands of a council of regency composed of the leading members of the Senate. Constans, however, grew up into a strong, self-willed man, and we may presume that while yet in early manhood he brushed aside his senatorial counsellors, and 'governed as well as reigned.' He could not wholly arrest—probably not the strongest of his Imperial predecessors could have arrested—the onrush of the children of Arabia, who wrested Armenia from the Empire, and made

[1] Constantine III.

[2] Heracleonas.

[3] διὸ παρακαλῶ ὑμᾶς ἔχειν συμβούλους καὶ γνώμονας τῆς κοινῆς τῶν ὑπηκόων σωτηρίας (Theophanes, A.M. 6134).

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a temporary conquest of Cyprus and Rhodes. But he fought in person in the great naval engagement with the Saracens off the coast of Lycia, in which, though defeated and compelled to fly for his life, he seems to have inflicted enough damage on the enemy to prevent their fulfilling their intention of besieging Constantinople. Shortly afterwards came that great schism between the two rival claimants for the caliphate, Ali and Moawjyah, which still rends the Moslem world asunder, and which gave a welcome breathing-time to the hard-pressed champions of the Empire.

655.

656.

Ecclesiastical position of Constans.

In ecclesiastical matters Constans II showed himself a hard-headed, unsympathetic, indifferent man of the world, determined that his Empire should not be harassed, if he could help it, by the speculative controversy which his grandfather had unwisely raised about the divine and human wills of Jesus Christ. The *Ecthesis* of his grandfather Heraclius had asserted the Monothelete doctrine, or as it is now decided to be, the Monothelete heresy, that there was but one will in the heart of the Saviour, and this doctrine had been eagerly upheld by successive Patriarchs of Constantinople, and as eagerly denounced by successive Popes of Rome[1]. Popes and Patriarchs were excommunicating

638.

[1] With the exception of Honorius I (625–638), the champion of the weak-brained Lombard, King Adalwald (see p. 158), who in his letter to Sergius the Patriarch of Constantinople (634) gave what seems like a hesitating assent to Monothelete doctrine, and whose memory was anathematised accordingly at the Sixth General Council (680–681), though to modern feeling any alleged slip which he may have made on an abstruse point of technical theology is more than compensated by this Pope's obvious desire to silence vain debate on a subject so inconceivable by man, and so absolutely without relation to practical Christian life.

each other—in one case, to give greater solemnity to the transaction, the Pope descended to the crypt which contained the body of St. Peter, and dipped his pen in the consecrated chalice, that he might thus write the damnation of his enemy in the blood of Christ[1]—and all the miserable wrangle of the Monophysite controversy seemed about to be renewed with greater bitterness than ever, at a time when the very existence of Christianity and of the Empire was threatened by the swords of the followers of Mohammed. Utterly weary of the whole dispute, and sympathising apparently neither with his Monothelete grandfather nor with his Dyothelete father, the young Emperor Constans (he was then but seventeen years of age) ordered the removal of the *Ecthesis* from the doors of the great church at Constantinople, and put forth the famous document called the *Type*, in which he attempted the impossible task of imposing silence on warring theologians. 'Inspired by Almighty God,' said Constans, 'we have determined to extinguish the flame of this controversy, and will not allow it any longer to prey upon the souls of men. The Sacred Scriptures, the works of the Fathers, the decrees of the Five General Councils are enough for us. Why should men seek to define beyond these? Therefore no one shall be allowed to speak of one will and one operation,

The *Type* of Constans, 648.

[1] This profane act was perpetrated by Pope Theodore (648) in reference to the excommunication of Pyrrhus, twice Patriarch of Constantinople (Theophanes, A.M. 6121). Under this year Theophanes gives a summary view of the whole Monotheletic controversy, from which, however, he strangely omits all mention of the Type of Constans. Baronius doubts the story of the pen dipped in sacramental wine, which is not mentioned by any other writer than Theophanes.

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or of two wills and two operations in the person of Christ. Any one transgressing this command shall, if a bishop, be deposed from his see; if a clergyman, from his clerical office; if a monk, he shall be confined, and banished from his monastery. If he holds any dignity or office, civil or military, he shall be deprived of it. If he is a nobleman, all his property shall be confiscated; if not noble, he shall not only be beaten with stripes, but further punished by perpetual banishment; that all men being restrained by the fear of God, and dreading the condign punishments with which we thus threaten them, may keep unmoved and untroubled the peace of the holy Churches of God.'

Vain hope, by decrees and banishments and chastisements to silence the subtle ecclesiastical intellect when once engaged in a war of words like that aroused by the *Ecthesis!* Bad as that Imperial document had been accounted by the See of Rome, the *impiissimus Typus* was soon discovered to be even worse. Pope Martin, who had just succeeded Theodore (the excommunicator of Pyrrhus), convened a council of one hundred and five Italian bishops, who met in the Lateran palace, anathematised the Patriarchs of Alexandria and Constantinople, 'the most impious *Ecthesis*, the wicked *Type* lately put forth by the most serene Emperor Constans,' and all receivers and defenders of the same.

Pope Martin I, 649-653; his condemnation of the *Type*, 649.

The Pope had the Italian bishops and the general sentiment of the West on his side, but otherwise he stood alone against the Emperor and all the great Eastern Patriarchates. There are indications of his turning to the Frankish kings Clovis II and Sigibert II

The Pope seeks for allies against the Emperor.

for aid, for moral at least, if not for physical support[1]. Did he also invoke the assistance of the Arian king of the Lombards, Rothari, against the author of the *Type*, and the close confederate of the heretical Patriarch of Constantinople? This was charged against him, and in the difficult circumstances of his position it could not be imputed to him as a crime; but the meagre annals of the period do not allow us to pronounce on the justice of the accusation. However, whether on religious or on political grounds a high-spirited young sovereign such as Constans II was not disposed to tolerate the insubordination of the Pope, who was still in theory only a subject of the most Serene Emperor. He sent his chamberlain Olympius as Exarch[2] to Italy with orders to protect and cherish all bishops who accepted the *Type*, to sound the disposition of the army, and if he found it favourable, to bring Pope Martin a prisoner to Constantinople,

Olympius ordered to arrest the Pope.

[1] Acts of St. Audoenus, Bishop of Rouen (quoted by Baronius, s. a. 649. 4).

[2] *Note as to the succession of Exarchs at this period.*

Our information on this point is very meagre, and chiefly derived from the Liber Pontificalis, but this seems to be at any rate an approximation to the truth:—

	A.D.
Isaac the Armenian	625–644
Theodore Calliopas	644–646
Plato	646–649
Olympius	649–652
Theodore Calliopas (restored)	653–664

We know nothing about the first administration of Theodore, and we only hear of Plato in the Emperor's letter to his successor as a strong Monothelete, who induced Pyrrhus, ex-Patriarch of Constantinople, to recant his recantation, and return into the Monothelete fold (Martini Epistola ap. Baronium, 645. 17 and 651. 19).

after which display of power it was hoped that all the other bishops of Italy would readily subscribe the Imperial decree. If, however, he found the army hostile, he was to say as little as possible about the *Type*, and simply to strengthen his military hold on Ravenna and Rome. Arriving in the City with these somewhat ambiguous instructions, the new Exarch found all the bishops and clergy of Rome enthusiastic in their defence of the Pope and their condemnation of the Monothelete doctrine. Probably also the army shared the general enthusiasm, for the Exarch renounced the perilous attempt to seize the Pope in the midst of his flock. An after generation, however, believed the improbable story that Olympius ordered the assassination of the Pope in the very act of celebrating Mass at the church of S. Maria Maggiore [1], but that the soldier who was commissioned to do the unholy deed was struck by a supernatural blindness which prevented him from seeing Pope Martin when he was in the very act of handing the chalice to the Exarch, and thus the murder was prevented.

Olympius renounces the attempt and proceeds to Sicily.

Whatever the truth may be as to this alleged attempt on the Pope's life, there is no doubt that Olympius completely renounced the attempt to force the Imperial *Type* on the Roman Church. A reconciliation took place between Exarch and Pope, so complete as to give some colour to the charge that Olympius aimed at making himself Emperor, and that Martin countenanced him in his treason. But the next step taken by the Exarch showed no disloyalty to the Empire. He crossed over with his army into Sicily in order to combat the Saracens, whose invasions

[1] 'Mariae *ad Praesepe*.'

of that island (which were to be continued with more or less intermission for more than four centuries [1]) had already begun. 'For their sins,' however, as we are told, the greater part of his army perished, apparently by sickness, not by the sword; and Olympius himself died also, probably a victim to the same pestilence which had ravaged his camp.

Death of Olympius, 652.

Theodore Calliopas, the new Exarch, arrives in Rome, 653.

The death of Olympius enabled Constans to resume his plans for the arrest of the Pope and the forcible promulgation of the *Type*. Theodore Calliopas, who was sent a second time to Ravenna as Exarch, appeared in Rome with an army on June 15 [2], 653. The position of affairs was not unlike that which had been seen more than a century before [3], when Belisarius received orders for the deportation of Pope Silverius. Now, as then, the ecclesiastical motive for the *coup d'état* and the unslumbering jealousy between the sees of Rome and Constantinople were veiled by the imputation of political crimes. Martin was accused of having corresponded with the Saracens (doubtless the Saracen invaders of Sicily [4]), as well as of being irregularly elected, of changing the faith delivered to the saints, and of showing insufficient reverence to the Virgin Mary.

[1] Down to the Norman Conquest of Sicily, 1090.

[2] We get this date, or rather the date of the day following the Exarch's arrival, from the Pope's letter to a friend of his who was also named Theodore: 'Ego vero ipse graviter infirmus eram ab Octobrio mense usque ad predictum tempus, id est usque ad decimum sextum Kalendas Julias' (apud Baronium, 650. 14). Observe that the Pope still reckons by Kalends.

[3] In 537. See vol. iv. p. 252.

[4] 'Ego aliquando ad Sarracenos nec litteras misi nec quem dicunt tomum' (Ep. Martini, u. s. 8). What can the suggested *tomus* have been?

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At first the Exarch temporised; professed that he desired to come and adore his Holiness, but he was wearied with his journey, and he was afraid that Pope Martin had filled the Lateran with armed men; an insinuation to which the Pope replied by inviting the Exarch's soldiers to make a visit of inspection, and see if they could find a weapon or a stone therein. The Pope, who with better reason feared violence, and who had been for eight months in weak health, had his bed placed before the altar in the Lateran Church [1]. Thither [2] came the soldiers of the Exarch in full armour, with swords and lances, and bows with the arrow on the string. 'They there did unutterable things,' says the horrified Pope; but though their conduct was doubtless indecorous, its atrocity seems somewhat diminished when we find that the only recorded detail relates to the overthrow of the candles, which fell all over the church like leaves in autumn, and the crash of the stricken candelabra, which filled the church with a noise like thunder. Desiring to prevent the effusion of Christian blood, the Pope came forth from his sanctuary, the people shouting as he emerged from the church, 'Anathema to all who say that Martin has changed a jot or a tittle of the faith. Anathema to all who do not remain in *his* orthodox faith even to the death.' So the Pope wended his

The Pope surrenders to the Exarch.

[1] The Lateran Church is sometimes called by Pope Martin the Constantinian, sometimes the Church of the Saviour. His companion, who continues the story of his captivity, calls it the Church of St. John. Apparently, therefore, we are here at the precise period of the change in the dedication of the patriarchal basilica, which, according to Gregorovius (i. 84), took place 'erst nach dem sechsten Jahrhundert.'

[2] On Monday, the 17th of June.

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way through the City up to the palace of the Exarch, which apparently still stood where the palace of the Caesars had stood, on the Palatine Hill. Multitudes of the clergy and laity, who declared that they would live and die with the Pontiff, on the invitation of the Exarch swarmed after him into the palace. They had hoped if he were banished that they would be allowed to share his exile, but soon after midnight on the morning of Wednesday, the 19th of June [1], Pope Martin, while all his adherents were kept under close ward in the palace, was hurried on board a little ship which was lying at Portus, his only companions being six acolytes and one household servant.

Pope Martin's journey to Constantinople.

On the 1st of July, the ship, slowly sailing, arrived at Misenum, but neither at Misenum nor any of the other cities of beautiful Campania (already called by the equivalent of its modern name, Terra di Lavoro [2]), nor at any of the islands at which they touched was the exile from the Lateran palace allowed to leave the bark, which he felt to be indeed his prison. At last they reached the island of Naxos, where he was detained for more than a year, and there as a great favour he was permitted to reside in an inn in the city, and was twice or thrice indulged with the luxury of a bath. Possibly the Imperial Court hoped that if his courage were not broken as that of Vigilius had been by arrogance and insult, his sickly frame, known to be enfeebled by gout, would sink beneath

[1] 'Eadem ergo nocte, quae illucescit in feriâ quartâ, quae erat decimo tertio Kalendas Julius, circa horam quasi sextam noctis.'

[2] 'Non autem Miseni tantum, sed in Terrâ Laboris, et non tantum in Terrâ Laboris quae subdita est magnae urbi Romanorum . . . . parata (?) impedierunt' (Ep. Martini, 15).

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the hardships which he endured. But the spirit and the bodily frame of the heroic Pope alike disappointed their expectations, and at length, on the 17th of September (654), he was brought into the harbour of Constantinople[1]. There for ten hours on his pallet-bed on the deck of the vessel lay the venerable Pope, racked with gout, wasted by constant diarrhœa, and feeling the nausea consequent on his long voyage. His adoring companions saw him thus 'made a spectacle unto angels and to men'; but the populace of Constantinople, men with wolfish faces and evil tongues, crowded round him, crying out that he was not fit to live. At sunset a squad of guards came, who placed him in a litter, and carried him off to a prison called Prandiaria. For ninety-three days he languished in this dungeon, deprived of all the comforts which were now necessaries to a high-bred Roman ecclesiastic. On the 19th of December (654) he was brought into the presence of the *Sacellarius* or Lord High Treasurer, who had summoned a meeting of the Senate for his trial. He was ordered to stand in the presence of his judges, and when the attendants pointed out that he was unable to stand, the *Sacellarius* thundered forth, 'Then let two of you support him, one on each side, for he shall not be allowed to sit.'

His examination.

The examination, which was conducted through the medium of an interpreter, for the Pope was as ignorant of Greek as his persecutors were of Latin, turned entirely on political matters. The absurd accusation of complicity with the Saracens, which only derived colour from the fact that the Pope had sent money to be

[1] 'Near [the palaces of] Euphemia and Arcadia.' I cannot discover the situation of these palaces.

distributed as alms among the Sicilian poor[1], seems now to have been tacitly abandoned, and the only charge which was vehemently pressed against him was one of complicity with the treasonable designs of Olympius. Rough and illiterate soldiers from the Exarch's army were brought to prove this charge; and the Pope asked in vain that they might be allowed to give their evidence unsworn, that they might not imperil their souls by perjury. The Pope began his answer to the charge against him thus:—'When the *Type* was prepared and sent to Rome by the Emperor'—but the Prefect Troilus at once stopped him—'Do not bring in any questions about the faith. We are Romans and Christians and Orthodox. It is about the rebellion that we are examining you.' The Pope's constant answer was that he had no power to resist the Exarch, who had the whole army of Italy at his disposal. 'Was it I who made him Exarch, or you at Constantinople? But work your will upon me, and do it speedily.' After this he seems to have tried to give a long harangue, which was faithfully interpreted by an African nobleman named Innocent; but the *Sacellarius* roughly interrupted, 'Why do you interpret what he is saying? We do not want to hear it.' With that he rose up, and all they that were with him, and going into the Emperor's chamber announced that they were ready to pass sentence upon the Bishop of Rome.

His sentence.

That sentence appears to have been a capital one, for the Pope was dragged through the streets of the city with a drawn sword carried before him; but if

[1] I suspect also that he had been in negotiation with the Saracen Emir as to the redemption of captives, but this is not stated.

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such a sentence was pronounced it was commuted into imprisonment and exile. He was forced to stand for some time in the Hippodrome, as a spectacle to the people, the guards as before supporting him on either side, and the young Emperor looking on through the lattice-work of his banqueting-hall at the humiliation of his great spiritual rival. Little could either persecutor or victim foresee how cruelly, more than five centuries later[1], the indignities offered to the Roman Pope would be avenged on the Eastern Emperor by the sack of his own city of Constantinople.

The *Sacellarius* then came forth from the banqueting-hall and said, 'See how the Lord has delivered thee into our hands. What hadst thou to hope for that thou shouldest strive against the Emperor? Thou hast abandoned the Lord, and He has abandoned thee.' He ordered one of the guards to cut the strap which bound round his neck the satchel[2] in which the Pontiff was accustomed to carry the sacred books, and then he handed him over to the Prefect, saying, 'Take him, my lord Prefect, and cut him limb from limb.'

His imprisonment.

Loaded with irons, with torn robes, but surrounded by a crowd not now shouting execrations, but saddened and awestruck at what was being done, the successor of St. Peter was dragged through the streets of Constantinople to the prison of Diomede, in the Praetorian Prefect's palace. As he climbed up the steps of the prison, which were rough and steep, his swollen feet left upon them the stain of blood. He was then thrust into a cold and dreary cell, where the

[1] At the time of the Fourth Crusade, 1204.

[2] This is supposed to be the meaning of the word used by the Pope's friend, 'psachmon.'

irons clanked upon his shivering limbs. One young ecclesiastic who had followed him, as Peter followed his Lord[1], was permitted to share his dungeon, but the keeper of the prison was also always present, bound to the Pope by a chain, as was the custom in the case of culprits under sentence of death. There were, however, two kind-hearted women, mother and daughter, related apparently to the keepers of the prison, who succeeded in removing the chilled and exhausted Pontiff from the dungeon cell and from the continual presence of the gaoler. They carried him to their own bedroom, and laid him in a comfortable bed, where however he lay speechless till the evening. When evening came, Gregory, a eunuch and Grand Chamberlain, sent his major-domo with some scanty refreshment, who whispered words of intended comfort, 'In all our tribulations we put our trust in God. Thou shalt not die.' The Pope, however, who was worn out and longed for speedy martyrdom, only groaned. The heavy iron chains however were taken off from him and not again imposed.

The dying Patriarch's intercession for the Pope.

One cause which led to some alleviation of the Pope's physical sufferings was the troubled conscience of Paul, the Patriarch of Constantinople, who had been fiercely anathematised by successive Popes, but who, being now upon his death-bed, could not endure the thought of the indignities which the remorseless Emperor was heaping on their common enemy. When Constans visited him the day after the trial, and told him what had been done, Paulus turned his face to the

[1] Throughout the description of these scenes there is an evident attempt to seek for analogies with the treatment of Christ in the Praetorium.

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wall, and said with a groan, 'Ah me! this too will be added to the number of my sins.' At his earnest request, the capital sentence passed on the Pope was remitted by Constans, and the rigour of his confinement was somewhat lessened.

Pyrrhus, Patriarch of Constantinople.

To the patriarch Paul (who died December 26, 654) succeeded Pyrrhus, who, as we have seen, had once himself been a fugitive at Rome, had there renounced the Monothelete heresy, and had then returned, as the orthodox said, 'like a dog to his vomit' when he found himself in the atmosphere of Monothelete Ravenna. This temporary departure from the ruling creed was however objected against him now, when he sought to recover the Patriarchal throne on which he had once before been seated. He declared that he had subscribed to the Pope's *libellus* (1) because he was his guest, and (2) under duresse. On these two somewhat inconsistent pleas the imprisoned Pope was now examined by an Assistant-Treasurer who bore the great name of Demosthenes. The Court minion, when he entered the prison, said with an unworthy sneer, 'Our lord the excellent Emperor has sent us to thee, saying, See in what height of glory thou once wast placed, and to what a depth thou now hast fallen. For all this thou hast only thyself to thank.' To which the Pope only replied, 'Glory and thanksgiving in all things to the only King, Immortal and Invisible.' Demosthenes then proceeded to cross-question him about his reception of the fugitive Patriarch Pyrrhus. 'Whence did he draw his subsistence when he was in Rome?' 'From the Roman Patriarchate' [the Lateran Palace]. 'What was your object in thus supplying him with provisions?' 'My good lord, you do not understand the ways of the

Further examination of the Pope.

Roman Church. For I tell you plainly, St. Peter does not repel any one, however poor and miserable, who comes to claim his hospitality, but gives them the whitest bread and divers kinds of wine. If then this is done even to miserable outcasts, in what guise ought we to have received one who came as the honoured bishop of the great see of Constantinople?' Then came the question as to duresse, the heavy wooden chains which were said to have been fastened on the Patriarch's limbs, and the many grievous things that had been done to him. To which answered the Pontiff, 'All this is utterly untrue, and there are men in Constantinople who were then in Rome, and who know how false is the accusation. There is Plato, once Exarch, who sent his messengers to Pyrrhus at Rome. Ask him, and if fear does not prevent him from speaking the truth, he will tell you. But I am in your hands. Tear me if you will, limb from limb, as the Treasurer said to the Prefect that he ought to do unto me. Work your own will upon me: but I will not communicate with the Church of Constantinople.'

The Pope banished to Cherson, March 13, 655.

After eighty-four days' confinement in the prison of Diomede, the unfortunate Pope was again put on shipboard and delivered to the mercies of the stormy Euxine. What object the guards can have had in keeping their unhappy prisoner so long exposed to the miseries of sea-sickness we know not: but it was not till May 15, two months after his embarkation, that he was permitted to land at Cherson, a place which was not the same as the modern city of Cherson, but was situated in the Crimea, then called the Tauric Chersonese. Here he languished for four months, and then died worn out by disease and

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hardship. From two letters which he wrote to his friends at Rome, we receive a most melancholy impression of his state during these last four months of his life. He complains bitterly of the lukewarmness and forgetfulness of his Roman friends, who wrote him no letters, and sent him no alleviations of his distress. Almost the only news which he did receive from Rome was the unwelcome intelligence that, yielding to Imperial pressure, the Roman clergy had acquiesced in his deposition, and elected another Pope, Eugenius I, as his successor[1]. The inhabitants of the country to which Martin was exiled were, according to his accounts, barbarians and heathens, and he suffered from want not only of the comforts, but almost of the necessaries of life. His only chance of buying corn was in small quantities from vessels which came thither laden with salt from the southern shores of the Black Sea[2], and then he had to pay for it at the high price of one solidus for a bushel[3].

Eugenius I Pope, Aug. 10, 654–June 2, 657.

Death of Pope Martin, Sept. 17, 655.

Pope Martin died on September 17, 655. He was buried in that wild Crimean land, and miracles, of which there had been some mention during his life, were believed to be wrought at his tomb. On the whole, he must be pronounced one of the noblest figures in the long line of Roman Pontiffs. The

[1] August 10 (?), 654. Curiously enough, the last Pope Martin, he who was elected at the end of the great schism by the Council of Constance, was also succeeded by an Eugenius (IV), 1431.

[2] 'Naviculae quae veniunt ex partibus Romaniae (ut hi qui hic sunt nuncupantur)'; an interesting instance of the early use of Romania for the Eastern Empire (Commemoratio, &c., ap. Baron. 652. 5).

[3] Or 96 shillings a quarter; a very high price, and not calling for Baronius' arbitrary alteration of the text, which would make it sixteen times as much (four solidi the peck).

querulous tone of the letters of his exile contrasts somewhat unfavourably with the utterances of that other victim of Imperial persecution, St. Chrysostom. And, as I have before suggested, it is possible that there may have been some foundation for the political charges on which ostensibly his condemnation was based. But on the other hand there can be no doubt that if he had been willing to strike his flag to the Monotheletes, or to accept that arbitrary 'End of Controversy,' the *Type* of the worldly-minded Emperor Constans, he might at once have ended his weary exile and have returned to the comforts and the splendours of the Lateran Palace. This he refused to do for conscience' sake, and he is therefore entitled to rank as one of the few martyrs who have sat in the chair of St. Peter.

Chronological notes.

I must remind the reader, in returning to the course of Lombard history, that all the events with which we have been recently dealing occurred before the accession of Grimwald. Heraclius published his *Ecthesis* in 638, two years after the accession of Rothari. The *Ecthesis* was taken down, and the *Type* was substituted for it by Constans II in 648, four years before the end of Rothari's reign. When Rothari died (in 652), Martin had been for three years Pope. Exarch Olympius died in that year, and his successor's capture of the Pope occurred in the following year, the date of Aripert's accession to the Lombard throne. Aripert during his reign must have heard of the death of Martin in exile at Cherson, of the death of his successor Eugenius (June, 657), and of the elevation of *his* successor Vitalian, whose long pontificate (657–672) covers the whole of the reign of Grimwald.

Vitalian Pope, July 30, 657–Jan. 27, 672.

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Under the rule of this Pope the Monothelete dispute seems to have slumbered. Fairly amicable relations existed between the patriarchates of Rome and Constantinople: Vitalian, though not going as far as Honorius in acceptance of Monothelete doctrine, was apparently willing to leave the question undiscussed, and as this was the very result most desired by Constans, a politician but no theologian, there was peace and the exchange of outward courtesies between Emperor and Pontiff.

Constans sets his face towards the West, 662.

Thus we come down to 662, the year of Grimwald's accession. Towards the close of this year Constans II formed the resolution to quit for ever his capital by the Bosphorus, and to try his fortune as a re-establisher of the Empire in the Western lands. To his contemporaries, accustomed to think of the Roman Augustus as immoveably settled in the East, the resolution seemed like a madman's dream. Even the virtues of this Emperor (for he had some virtues), his rough energy, his broad view of the needs of the Empire, his abhorrence of theological disputation, as well as his undoubted vices, made him unpopular with the enervated, wordy inhabitants of New Rome [1]. Two years previously he had put to death his brother Theodosius, whom he had before forced into holy orders, and now it was said that Theodosius continually appeared to him in the visions of the night, arrayed in the dress of a deacon, and offering him the sacramental cup, saying, 'Drink, my brother!' The Imperial dreamer would take the cup, see that it was filled with blood, and awake with a cry of anguish. This story,

[1] See Bury, ii. 303–4, for an admirable estimate of the character of Constans II.

however, comes from a very late and doubtful source[1], and perhaps attests only the animosity of Church historians against a Monothelete heretic and the persecutor of Popes. The cruel tortures inflicted on the Abbot Maximus, the great champion of orthodoxy, and two of his disciples, who were flogged, had their tongues and right hands cut off, and were banished to the inhospitable neighbourhood of Poti, doubtless kindled the resentment of many of the Emperor's subjects against him. But after all it was perhaps statesmanship quite as much as passion which determined Constans to quit his native city and seek his fortune in the West. His grandfather Heraclius had come from Carthage to found his dynasty. He was himself called Emperor of Rome, yet Rome and Italy were daily slipping from his grasp, the city to the Pope, the country to the Lombards. Constans would revive the great projects of Justinian, and be in fact as well as in name Emperor of Rome. We need not therefore believe the late and legendary story that when Constans was standing on the deck of his cutter, he turned round to look at the receding towers and domes of Constantinople, and spat at the Imperial City. Better vouched for, however, is the fact that he was obliged to take his departure alone, and that when he sent from Sicily for his wife and his three sons, the citizens (perhaps represented by the Senate) refused to allow them to depart.

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He arrives in Italy, 663.

Constans went first to Athens, where he apparently sojourned for some time, and then, probably in the early part of 663, crossed over into Italy, landing at Tarentum. Both by his landing-place and in various

[1] Cedrenus, a monk of the eleventh century.

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other ways his expedition reminds us of that other attempt which Greece made 944 years before[1], under Pyrrhus king of Epirus, to conquer Italy. Like that Aeacid prince, Constans sought to ascertain by supernatural means the event of his enterprise. He asked, not the priestess at Delphi, but a certain recluse who was believed to have the spirit of prophecy. 'Shall I vanquish and hold down the nation of the Lombards which now dwelleth in Italy?' The holy man's answer, vouchsafed after a night of prayer, was less ambiguous than the response of the oracle to Pyrrhus. 'The nation of the Lombards cannot be overcome, forasmuch as a pious queen, coming from another land, has built a basilica in their territory to the blessed John the Baptist, who therefore pleads without ceasing for that people. But the time will come when that sanctuary shall be held in contempt, and then the nation itself shall perish.' The historian who records this prediction considered that he saw its fulfilment when the fall of the Lombard monarchy followed the simoniacal ordination of unworthy and adulterous ecclesiastics in the great basilica of Monza[2].

Constans enters the duchy of Benevento.

Undismayed by this unfavourable answer—if he ever received it—the Emperor pressed on from the region round Tarentum, where he still found subjects loyal to the Empire, and invaded the duchy of Benevento[3], where Romwald the son of King Grimwald ruled. 'The high nest of Acherontia,' as Horace called it[4], a frontier fortress on one of the outlying buttresses

[1] B.C. 281.

[2] Paulus, H. L. v. 6.

[3] The boundary was probably still made by the two rivers Aufidus and Bradanus.

[4] Ode iii. 4. 14.

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of Monte Vulture, resisted all his attacks, but Luceria, 'a wealthy city of Apulia,' was captured, sacked and levelled with the ground. Certainly the Emperor of Rome practised a strange method of delivering Italy. He then marched to Benevento, which he surrounded and tried hard to carry by storm. Young Romwald, sore pressed, sent his tutor[1] Seswald to entreat his father's aid. On receipt of this message King Grimwald at once set out with a large army to the help of his son. Many of the Northern Lombards, however, deserted on the march. The jealousy or suspicion between Pavia and Benevento was too strong to be overcome even by the presence of the Roman Emperor on the soil of Italy: and the men of the northern provinces said to one another, with self-gratulations on their own superior wisdom, 'The southern duke has helped himself to all that was best worth having in the palace at Pavia, and now he is going to Benevento "to help his son." You will see that he will never return.'

Siege of Benevento.

Meanwhile the Imperial army was pressing the siege of the city with all those engines of war the use of which the dexterous Greek understood so much better than the barbarian. By frequent sallies the gallant defenders inflicted grievous losses on the enemy, but the straitness of the siege was great, and day by day they looked for tidings of the approach of the

[1] This is perhaps the best translation that can be offered of *nutricius*, which gives us a blended idea of foster-father, instructor, and, in the case of a young prince, regent or chief counsellor. It is used in this sense occasionally by Gregory of Tours. See Waitz, Verfassungsgeschichte, ii. 434 and 437: and compare what has been already said of the relation of Arichis to the young princes of Friuli.

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Lombard king. At length they saw the messenger Seswald drawing near to the walls, but, alas! as a prisoner led by the Imperial generals. For while he was hovering near to the city seeking how he might enter, he had been captured by the enemy's scouts, who had brought him into the Emperor's presence. From him Constans learned of the near advent of Grimwald with a large army, and these tidings decided him to end the siege by all means as speedily as possible. Seswald was therefore allowed to approach the walls, having promised that he would assure the garrison that Grimwald could not help them. If he failed in this he was told that death awaited him. When the captive tutor was close to the walls, he asked to see his pupil, and as soon as Romwald came to the battlements he cried with a loud voice, 'Stand firm, lord Romwald: thy father is at hand and will soon bring thee help. He is already at the river Sangro[1], and pitches his camp there to-night with a strong army. Have pity, I pray thee, on my wife and children, for I know that this perfidious race will not suffer me to live.' As soon as he had finished his speech, the Emperor bade that they should cut off his head, and hurl it into the city from a catapult: an ungenerous revenge, and one in which a Teutonic warrior would have hardly permitted himself to indulge. The well-known features were kissed by the grateful lips of Romwald, and the head was deposited in a worthy shrine.

Truce proclaimed.

After all, no battle was fought under the walls of Benevento. Constans was now anxious to depart, and Romwald, whose troops were probably already

[1] I. e. about fifty miles from Benevento.

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suffering severely from famine, made 'a bridge of gold for a retreating foe,' handed over his sister Gisa to him as a hostage, and made peace on some terms, the nature of which is not recorded [1]. Constans then started for Naples, where he was secure of a friendly reception, as that city belonged to the Empire; but on his way he was attacked by Mitola, count of Capua, at a place by the banks of the Calore (which a hundred years after was still called Pugna), and was defeated there with much slaughter. This skirmish (for it was probably nothing more) apparently broke the truce concluded under the walls of Benevento. One of the Byzantine nobles, named Saburrus, asked the Emperor to entrust him with the command of 20,000 men with whom he made no doubt that he should vanquish the young duke of Benevento. He set forth, and pitched his camp at Forino, about twenty-five miles east of Naples, which city was now the Emperor's headquarters. When Grimwald, who had by this time joined his son, heard the tidings of the Imperial general's approach he thought to go forth also and fight with him, but with something of the spirit of a young knight of later days, Romwald begged that he, with only a portion of his father's army, might have the glory of this day's encounter. Accordingly Romwald and Saburrus [2] with their small selected armies met on the field of battle. From four different sides sounded the trumpets of

Battle at Forino.

[1] The narrative of these events in Paulus is rather confused. I have adopted Waitz's suggestion, and slightly transposed them.

[2] Can this Saburrus be the same person as the Saborius, of Persian descent, who, as we learn from Theophanes (A.M. 6159), revolted against Constans, and eventually lost his life at Adrianople by an accident on horseback?

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Saburrus, as the Imperial forces rushed to the fray. But in the thick of the battle, a stalwart Lombard named Amalong, who bore 'the king's wand [1]' (probably a spear from which fluttered the royal banner), struck one of the little Greek soldiers through the body with his weapon, which he held stoutly with both hands, and lifting him from his saddle, held the spear high in air, with his victim writhing upon it [2]. The sight of this deed so disheartened the Greeks that they turned to flight, and in that flight the army was cut to pieces. Romwald returned to his father with the glory of victory, and the boaster Saburrus brought back few of his 20,000 men to his master.

Constans visits Rome.

'Constans,' says the Lombard historian, 'seeing that he could avail nothing against the Lombards, turned all his threats and all his harshness upon his own partisans, that is, the Romans.' This may have been the secret reflection of the trembling clergy and citizens when the stern Monothelete Emperor came among them, but the outward signs of mutual amity were observed on the visit which Constans now paid to Rome. It was certainly a memorable event. Three hundred and seven years had elapsed since the awe-stricken Constantius gazed on the glories of yet unruined Rome [3]: nearly two centuries since any person calling himself Emperor had stood upon the Palatine Hill: one hundred and thirty-seven years

[1] 'Unus de regio exercitu, nomine Amalongus qui regium contum, quem vulgo *vandum* regis dicimus, ferre erat solitus' (Paulus, H. L. v. 10).

[2] 'Quendam Graeculum eodem contulo utrisque manibus fortiter percutiens, de sellâ super quam equitabat sustulit, eumque in aera super caput suum levavit' (Paulus, u. s.).

[3] See vol. iv. p. 120.

were yet to elapse ere a barbarian king was to be acclaimed with shouts of *Carolus Imperator* in the streets of Rome. Meanwhile here is this successor of Augustus, who bears by full right the title of Emperor of the Romans, but who is Greek by language, Greek by education, and who, it is to be feared, does not hold the Catholic verity in his heart, since by that arrogant *Type* of his he forbids us even to make mention of the Two Wills in Christ. He has accomplished but little against the terrible Saracens: he has done nothing to deliver Italy from the unspeakable Lombards: we must receive him as our rightful lord, but our hearts fail us when we ask ourselves what he will do in Rome. Such were probably the feelings of Pope Vitalian and his clergy as they went forth along the Appian Way six miles from the gates of the City to meet the Emperor Constans. But his first devout behaviour probably somewhat allayed their terrors. It was Wednesday, the 5th of July (663), when he entered the Eternal City, and he at once proceeded to worship at the great basilica of St. Peter, leaving there a gift upon the altar. On Saturday he went to the church of S. Maria Maggiore, and there, too, he offered his gift. On Sunday the church of St. Peter's was filled with the Greek soldiers. All the clergy went forth with due pomp of lighted tapers to meet the master of that glittering host who was present at the celebration of Mass—doubtless receiving the consecrated elements from St. Peter's successor—and again offered his gift upon the altar; this time a *pallium* stiff with gold. On the next Saturday he visited in equal state the Lateran Church, the home of the great Western patriarchate; he bathed

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in the porphyry font[1], which legend, then or at a later day, declared to have been used for the baptism of Constantine the Great, and he dined in the spacious banqueting-hall which was known as the Basilica of Vigilius[2]. Lastly, on the second Sunday of his visit, he again attended High Mass at St. Peter's, and took a solemn farewell of Pope Vitalian on this the last day of his sojourn in Rome[3].

His spoliation of the City.

Twelve days was the length of the Emperor's visit, but his time was not wholly occupied in hearing Mass and offering gifts upon the altars of the churches. Gold and silver had apparently long vanished from all places but the sacristies of the churches, but there was still much copper on the buildings and in the statues of the City. Between his visits to the basilicas the Emperor usefully employed his leisure in stripping the City of all these copper adornments, even proceeding so far as to strip off the copper tiles which covered the dome of the Pantheon, now the church of St. Mary of the Martyrs. These spoils, and much else, probably some works of art, possibly some of the treasures of the libraries[4], were put on shipboard and

[1] I have no express authority for this detail. The words of the Papal biographer are simply 'Iterum Sabbato die venit Imperator ad Lateranas *et lavit se.*' But considering the importance which already began to be attached to the legend of Constantine's baptism at the Lateran, I think we may fairly assume that this was the meaning of his successor's ablutions.

[2] Near the apartment of Pope Gregory the Great (Joannes Diaconus, ii. 25, quoted by Duchesne).

[3] We get the history of the Emperor Constans' visits to the churches from the Liber Pontificalis in Vitâ Vitaliani.

[4] This is the conjecture of Gregorovius (ii. 155), but neither Constans II nor his subjects seem to me to have been likely to care much for literary plunder.

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consigned to Constantinople, at which city however, as we shall shortly discover, they never arrived. It was certainly an unworthy mode of celebrating the Roman Emperor's visit to the City which gave him his title; and the abstraction of the roof of the Pantheon must have reminded Romans who knew anything of the history of their City of the similar procedure of Gaiseric and his Vandals upon the gilt roof of the temple of Jupiter Capitolinus[1]. But the necessities of the Empire were great: some of its richest provinces were in the hands of the Saracens; and the robberies of Constans were probably not for himself but for the State. Had there been any blood spilled or any sacred vessels abstracted during the Imperial visit to Rome, we should assuredly have heard of such atrocities. Upon the whole, we may presume that when, on the 17th of July, Constans finally turned his back on the Imperial City, Pontiff and people alike congratulated themselves that they had not suffered greater evils at the hands of their stern sovereign.

Constans visits Sicily.

From Rome he went to Naples, and from Naples by land to Reggio. He must have remained some weeks in Southern Italy, for it was in September[2] (if not later) that he crossed over from Reggio into Sicily[3]. He remained in that island for five years, making Syracuse his headquarters. The object of this long

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[1] See vol. ii. p. 284. [2] 'Per indictionem septimam.'

[3] If the chronology of Theophanes be correct, there had been an invasion of Sicily by the Saracens in the same year in which Constans crossed over into the island. He says, 'In this year [663] a great part of Sicily was carried captive, and they [the captives] were by their own desire planted as settlers in Damascus' (καὶ ᾠκίσθησαν ἐν Δαμασκῷ θελήσει αὐτῶν). A mysterious entry, but one which must point to an invasion of Sicily by the Saracens.

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sojourn in Sicily evidently was that he might use it as his base of operations against the Saracens, who were overrunning the provinces of Northern Africa. He did indeed temporarily recover Carthage, but this success was counterbalanced by a severe defeat which his troops sustained at Tripoli. In Sicily as elsewhere he showed himself grasping and impecunious. The cultivators of Sicily and Sardinia, of Calabria and of the province of Africa, long remembered the oppressive procedure[1] of the tax-gatherers of Constans. So inexorable were their demands that, to satisfy them, husbands were sold into slavery away from their wives, and children from their parents, and, under this intolerable tyranny, life seemed not worth the living. Now too, if we may believe the papal biographer, who writes in great bitterness of spirit against the Monothelete Emperor, Constans exceeded even his Roman exploits by his sacrilegious spoliation of the churches. All over the two islands, and the two provinces which have been named, sacred vessels and other precious ornaments dedicated to the worship of the sanctuary were carried off 'by the command of the Emperor and by the avarice of the Greeks[2].'

Financial oppression of the Sicilians.

[1] The Liber Pontificalis gives us the names of these imposts—*diagrapha, capita, nauticationes.* None of these names occur in the terrible list of tax-gatherers' demands given us by Joannes Lydus (De Magistratibus, iii. 70). *Capita* are, of course, the 'heads' of taxation with which we have already made acquaintance in the verses of Sidonius (vol. ii. p. 419, 414 second edition). *Nauticationes* are perhaps some forced service on shipboard, like the work of the English press-gangs. I cannot explain *diagrapha.* [Hegel, i. p. 234 interprets *diagrapha,* 'Decrete, welche die Steuersumme festsetzen, sonst indictiones'.]

[2] 'Nam et vasa sacrata vel cimilia (κειμήλια) sanctarum Dei ecclesiarum imperiali jussu et Graecorum avaricià sublata sunt' (Paulus H. L. v. 11: copying the Liber Pontificalis). [Another act of

Death of Constans, 668.

At length the hard and oppressive reign came to an end, but that end seems to have come rather from the sudden rage of an insulted menial, than from any deep-laid popular conspiracy[1]. One day[2], when Constans entered the bath which was called Daphne, at Syracuse, the valet who attended him, a certain Andreas, son of Troilus, while the Emperor was scrubbing himself with Gallic soap, lifted high the box in which the soap was kept, smote his master on the head with it, and ran away. As the doors of the bath-house remained long unopened, the attendants who stood without at length burst them open, and found their master lying dead upon the floor. If there had been, as seems probable, no conspiracy, it was nevertheless easy to foresee that the existence of a conspiracy against so harsh and unpopular

Constans during his residence in Sicily, which should be noticed, is the issue of an Edict releasing the Archbishop of Ravenna from all dependence on the Roman See. (Hartmann, Gesch. II. i. 250.)]

[1] It is true that Theophanes, from whom alone we get the account of the murder of Constans, uses the word ἐδολοφονήθη concerning it, but I think it will be evident from the rest of the story that there was no 'malice aforethought' in the case. A conspirator intending to kill the Emperor would surely have provided himself with some more effectual weapon than a soap-box. In fact, Andreas would seem to have been as much surprised as any one at the fatal effect of his blow. It is interesting to see that soap still, in the seventh century, bore the name of *Gallicum*. Pliny, writing in the first century, in speaking of the remedies for swellings in the face, says (H. N. xxviii. 12), 'Prodest et *sapo: Gallorum hoc inventum* rutilandis capillis ex sevo [suet] et cinere: optimus fagino (cinere) et caprino (sevo); duobus modis, spissus ac liquidus: uterque apud Germanos majore in usu viris, quam foeminis.' It certainly seems that, as far as the use of soap was concerned, the Mediterranean peoples received civilisation from the regions north of the Alps rather than imparted it to them.

[2] On the 15th July of the 12th Indiction, says the Liber Pontificalis; but Duchesne agrees that we must correct the figures 12 to 11, thus making the year 668.

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a monarch would be easily suspected. It was probably in order to guard themselves against the certain vengeance of the Heraclian house that the courtiers determined to raise a new Emperor to the throne. Their choice fell on a certain Armenian named Mizizius[1], who much against his will accepted the dangerous diadem. He had calculated the chances of success more truly than those who forced the honour upon him. From all parts of Italy, from Istria and Campania, from Africa (the old home of the Heraclians), even from the island of Sardinia, soldiers flocked to Syracuse to suppress this ridiculous rebellion. When the young Constantine, the son of Constans, arrived in Sicily with a great fleet, he found the work already done, and the rival Emperor Mizizius slain[2]. The pretender's head was taken to Constantinople, and with it many of the civil servants of the Empire who had taken part in the rebellion, and who, according to the cruel fashion of Byzantium, were mutilated before they were placed on board the ships which were to convey them to the place of execution.

Usurpation of Mizizius.

The Saracens at Syracuse.

Events such as these naturally weakened the resisting power of the Empire. We hear without surprise that the Saracens suddenly appeared with a large

[1] 'Mecetius' in Paulus.

[2] There is a slight divergence between Theophanes and Paulus as to the agents in the suppression of the revolt of Mizizius. I follow in the main the version of Paulus. His sentence, 'Multique *ex judicibus ejus* detruncati Constantinopolim perducti sunt,' is, I think, important as an indication that the rebellion of Mizizius was an abortive attempt of the civil servants of the Empire to free themselves and the provincials from the yoke of the military governors and the soldiers under them. This view of the matter explains the alacrity of the Imperial soldiers in Italy in suppressing the revolt.

fleet in the Sicilian waters, entered Syracuse, made great slaughter among the people (a remnant of whom fled to fortified camps and the tops of the mountains), and then returned to Alexandria, bearing with them immense booty, including the brazen ornaments, and all the other precious things which Constans Augustus had carried off from Rome.

Death of Grimwald's daughter Gisa.

As for King Grimwald's daughter Gisa, whom the Emperor had borne off from Benevento as a hostage, she too was taken by him to Sicily, and died there. The way in which Paulus mentions her fate inclines us to suppose that it was in some way connected with the troubles of the Saracen invasion.

The remaining events of the reign of Grimwald may be briefly told, and all relate to three out of the four great duchies, whose history in an earlier chapter was brought down to this point. The duchy of Trient is not noticed here.

Transamund, duke of Spoleto.

In SPOLETO, on the death of Duke Atto (663), Grimwald conferred the duchy on his old ally *Transamund*, count of Capua, to whom he was largely indebted for his success in winning the Lombard crown. Transamund, who married a daughter of Grimwald, appears to have governed the Umbrian duchy for about forty years, and his descendants, to the third generation, sat on his throne.

The Bulgarians in the duchy of Benevento.

At BENEVENTO, young Romwald seems to have remained ever in cordial love and loyalty to his father, and we may conjecture that the kingdom and the duchy were more closely confederate together during the reign of Grimwald than at any other period of their joint existence. The chief event of the young duke's reign seems to have been the arrival of a colony

of Bulgarians in Italy under their duke Alzeco, who, 'with all the army of his duchy,' came to King Grimwald, and promised faithful service on condition of being allowed to reside in his land. Him Grimwald passed on to his son, desiring the latter to provide suitable habitations for him and his people. They were heartily welcomed by the young duke, who assigned to them for their residence a spacious region to the north of his capital, which had lain desert until that time, and which included the cities of Bovianum, Sepinum, and Aesernia. The fact that this broad reach of territory (situated, it is true, among the highlands of Samnium) should have remained desert till these Bulgarians from the Danube country came to occupy it, tells its own sad story of the desolation of Italy. The Bulgarian Alzeco coming thus into the territory of Duke Romwald, in a relation which in a later century would have been described as that of vassalage, had to forego the title of duke which he had hitherto borne, and be content with that of *gastald*, a title which, as we shall hereafter see, expressed more of personal dependence on the sovereign than the title of duke. Even down to the days of Paulus, that is, for a full century after the settlement, though the descendants of these settlers had learned the Latin tongue, the rude Bulgarian speech was still heard in these cities and villages round the skirts of Monte Matese [1].

[1] See Bury's History of the Later Roman Empire, ii. 333, for some interesting remarks on this Bulgarian migration. The words of Paulus are remarkable: 'Per haec tempora Vulgarum dux Alzeco nomine, incertum quam ob causam, a suâ gente digressus, Italiam pacifice introiens, cum omni sui ducatus exercitu ad regem Grimwald venit, ei se serviturum atque in ejus patriâ habitaturum promittens. Quem ille ad Romualdum filium Beneventum dirigens,

Meanwhile in the duchy of FRIULI, the old home of Grimwald, disastrous events were occurring. Grasulf, Grimwald's uncle, after apparently a long reign, had been succeeded by *Ago*, of whom Paulus has only to tell us that a certain house called *Domus Agonis* was still visible at Forum Julii [1].

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Events in Friuli.

Duke Ago.

Duke Ago was followed by *Lupus*, an ambitious and untrustworthy man. Instigated possibly by the patriarch of Aquileia, he led a band of horsemen by a highway cast up in old time across the sands to Grado, plundered that island city, and carried off the treasures of its church. Whether he deposited any of these treasures in the mother and rival church of Aquileia we are not informed. After this came the invasion of Italy by Constans, Romwald's cry for

Duke Lupus: his capture of Grado,

ut ei cum suo populo loca ad habitandum concedere deberet praecepit. Quos Romualdus gratanter excipiens, eisdem *spatiosa ad habitandum loca quae usque ad illud tempus deserta erant, contribuit*, scilicet Sepinum, Bovianum et Iserniam (*sic*) et alias cum suis territoriis civitates *ipsumque Alzeconem, mutato dignitatis nomine de duce gastaldium vocitari praecepit.* Qui usque hodie in his ut diximus locis habitantes, quamquam et Latiné loquantur, linguae tamen propriae usum minimé amiserunt.' It seems probable that this settlement of the Bulgarians was partly a measure of precaution against attack from Rome or Naples. All the three towns named are on the back-way leading from the Via Latina across the mountains to Benevento.

[1] Our dates here are extremely vague. 'Circa haec tempora' (that is apparently about the time of the accession of Constans, 642), 'mortuo aput Forojulii Grasulfo duce, Forojulensem ducatum Ago regendum suscepit' (Paulus, H. L. iv. 50). 'Siquidem ut superius praemiseramus, Grasulfo Forojulanorum duce defuncto, successor ei in ducato Ago datus, de cujus nomine usque hodie domus quaedam intra Forojuli constituta domus Agonis appellatur. Quo Agone mortuo, Forojulanorum ductor Lupus efficitur' (Ibid. v. 17). As a mere random guess, I would put the accession of Ago about 645, and that of Lupus about 660. De Rubeis, following Sigonius, puts the former in 661, and the latter in 663.

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help to his father, Grimwald's rapid march to succour him. Before setting out the king committed his palace and all its treasures to Lupus of Friuli, perhaps an old companion of his boyhood. But Lupus shared the general opinion of the northern Italians, that the Beneventan interloper, having once set his face towards the south, would never return to Pavia. He carried himself insolently in his delegated office; and perhaps—though this is not expressly told us—aimed at winning the kingdom for himself. When he learned that Grimwald was returning, Lupus, conscious of his misdeeds, retreated to his duchy of Friuli, and there openly raised the standard of rebellion.

and rebellion against Grimwald.

Grimwald invites the Avars into Friuli.

On receipt of these evil tidings, Grimwald, unwilling to stir up a civil war between Lombards and Lombards, resorted to the strange and desperate expedient of inviting the Avars, the savages who, fifty years before, had slain his father and ravaged his home, to come and attack the rebel duke. The Chagan came with a great army, and was met by Lupus apparently on the old battle-ground of Theodosius by the Cold River below the pass of the Pear-tree[1].

Death of Lupus.

For three days Lupus kept the savage horde at bay, at first with brilliant success, winning decided victories, and carrying great spoil out of their camp. But each day the number of his killed and wounded soldiers rose higher and higher, and still the apparently undiminished Avar horde rolled on towards him. On the fourth day Lupus was slain, and the remnant of his army scarcely succeeded in saving themselves by flight.

[1] 'In loco qui Flovius dicitur.' Bethmann understands this to mean 'Fluvius Frigidus in valle Wipbach provinciâ Krain.' See vol. i. p. 160 (p. 570 in second edition).

Retreat of the Avars.

The surviving Lombards shut themselves up in the fortified cities, while the Avars as aforetime roamed over the duchy, carrying fire and sword through the wasted land. To Grimwald's ambassadors who came with a gentle suggestion that it was now time to cease from ravage, they replied that they had won Forum Julii by their arms, and did not mean to quit it. Hereupon Grimwald saw himself compelled to assemble an army for the expulsion of the Avars from Italian soil. But according to the *saga*, he effected his purpose not by force but by guile. The Chagan's ambassadors came and feasted at his board ere all his army was yet collected, but he dressed up the same squadrons in different attire on each succeeding day, and made them defile before the eyes of the ambassadors, leading them to suppose that each day fresh reinforcements were coming to his standard. 'With all these multitudes,' said he, 'shall I burst upon the Avars and their Chagan, unless they speedily vanish from the territory of Forum Julii.' The message carried back by the deluded ambassadors struck such terror into the heart of the Chagan that he made all haste to return to his own land.

Theuderada, daughter of Lupus, marries Romwald.

The daughter of Lupus, Theuderada, was given in marriage to Romwald of Benevento, and in her new home, as we learn from the life of St. Barbatus, she played a part like that of Theudelinda in winning over the still half heathen, and wholly irreligious, Lombards of Benevento to the Christian faith.

Flight and death of Arnefrit,

His son Arnefrit[1] sought to win his father's duchy, but fled at the approach of Grimwald, and took refuge

[1] This name reminds us of that of the father of Paulus, Warnefrid.

son of Lupus.

with the Sclovenes of Carinthia[1]. Afterwards seeking by the help of these barbarians to recover possession of his duchy, he was slain by a sudden onset of the men of Friuli at a place called Nemae (now Nimis), about fifteen miles north-west of Cividale.

Wechtari, duke of Friuli.

As the new duke of Friuli, Grimwald appointed *Wechtari*, a native of Vicenza, a man who had evidently already reached middle life, and who was, we are told, 'a kind man, gently ruling the people[2].' Though Arnefrit was dead, his Sclavonic allies still troubled the duchy, and hearing that Duke Wechtari, of whom they stood in great awe, had gone to Pavia —doubtless in order to concert measures of defence with King Grimwald—they came with a strong body of men, and pitched their camp at a place called Broxae, not far from the capital[3]. It happened providentially that Wechtari had on the previous evening

[1] 'Sed metuens Grimualdi regis vires, fugiit ad Sclavorum gentem in Carnuntum quod corrupté vocitant Carantanum' (Paulus, H. L. v. 22). Of course Paulus is wrong in dragging in Carnuntum (the modern Presburg), which would be in the midst of the Avar territory. The 'Carantanum,' which he blames, is the right name for the country now called Carinthia. Ankershofen (Geschichte des Herzogthumes Kärnten, ii. 31, 32) fixes the settlement of the Sclovenes as an advanced guard of the Avars in Carinthia about 596. 'Their neighbours in the plains of Pannonia and on the sea-coast called their new home, surrounded as it was and traversed by mountains, *Goratan*, the mountain land, from which, in course of time, and by foreign chroniclers was formed the Latin 'Carantanum' and the German 'Kärnten.' Whether this derivation be approved or not, in any case Paulus' reference to Carnuntum is quite beside the mark.

[2] 'Vir benignus et populum suaviter regens.'

[3] De Rubeis says (p. 305), 'It is a place in the district of S. Giovanni-in-Antro at the fourth milestone from Cividale. The gate on that side of the city is still called Broxana.'

returned from Pavia, and hearing of this insolent advance of the Sclovenes, he went forth with twenty of his followers to attack them. Seeing so small a troop issue from the city, the Sclovenes said with jeers, 'Lo, here come the patriarch and his clergy.' But when they came to the bridge over the Natiso, on the other side of whose deep gorge the invaders had pitched their camp, Wechtari took off his helmet and showed his bald head and his well-known countenance to the foe. A despairing cry of 'Wechtari! Wechtari!' ran through their ranks, and they all began to think of flight rather than of battle. Then Wechtari, perceiving their panic, charged upon them with his scanty band, and inflicted such slaughter, that out of 5000 Sclovenes, few returned to tell the tale in Carinthia. So runs the *Saga* of Wechtari.

Grimwald's revenge on Opitergium.

Throughout the long life of Grimwald he seems never to have forgotten the treachery practised by the Patrician Gregory against his brothers Taso and Cacco. The Avars, as we have seen, he could forgive, he could even welcome as allies, but the Romans never [1]. Especially did his anger burn against the city of Opitergium, in which the foul murder was committed. Not satisfied with the partial demolition of that city which had been accomplished some twenty or thirty years before by order of Rothari [2], he now utterly destroyed it, and parcelled out the citizens who were left in it among the three neighbouring cities of Forum Julii, Ceneta, and Tarvisium (Cividale, Ceneda, and

[1] 'Erat quidem Grimualdo contra Romanos non mediocre odium, pro eo quod ejus quondam germanos Tasonem et Cacconem in suâ fide decepissent' (Paulus, H. L. v. 28).

[2] See p. 168.

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Treviso). To this day the low estate of the little town, scarcely more than a village, of Oderzo, testifies to the vengeance of the Lombard king.

Sack of Forlimpopoli.

Equally hard was the fate of the city on the Emilian Way, twenty miles south of Ravenna, which still, in a slightly altered form[1], preserves its classical name of Forum Populi. Many times had its inhabitants harassed his messengers going and coming in time of peace[2] between Pavia and Benevento. Watching his opportunity, he burst, in the days of Lent, through the unguarded passages of the Apennines, came upon the city on Easter Sunday itself, when the children were being baptized, and slew the citizens with wide and indiscriminate slaughter, not sparing even the deacons who were officiating in the baptistery, and whose blood was mingled with the water of ablution. Then he beat down the chief buildings of the city, and left therein but a very few of its former inhabitants[3].

[1] Forlimpopoli.

[2] I think we must infer this, as Forum Populi was far within the Imperial frontier, and in time of war that section of the Emilian Way would be closed to the Lombards.

[3] 'Quadragesimorum tempore per Alpem Bardonis Tusciam ingressus, nescientibus omnino Romanis, in ipso sacratissimo sabbato Paschali super eandem civitatem eâ horâ quâ baptismum fiebat (*sic*), inopinaté inruit, tantamque occisorum stragem fecit, ut etiam diacones ipsos qui infantulos baptizabant, in ipso sacro fonte perimeret. Sicque eandem urbem dejecit, ut usque hodie paucissimi in ea commaneant habitatores' (Paulus, H. L. v. 27). I cannot explain 'per Alpem Bardonis.' Waitz's reference to Bardi near Parma does not seem to help us, as that throws the scene of action far too much to the west. It is probably some pass through the Apennines yet to be identified. And we seem to want 'e Tusciâ egressus' rather than 'Tusciam ingressus.' There must, it seems to me, be something wrong with the text. [Crivellucci (S.S. v. p. 127) says that this correction is not necessary.]

Certainly the Lombard, even after a century's sojourn in Italy, fell far below the Visigoth in capacity for civilisation. Alaric at Pollentia well-nigh ruined his cause by his unwillingness to fight on Easter-Day, the same day which Grimwald chose for a treacherous revenge and a cruel massacre.

Death of Grimwald, 671.

At length the strong, hard, self-reliant man came to a characteristic end. He had been bled, probably for some trifling ailment, by the royal surgeons, and was resting in his palace on the ninth day after the operation. A dove flew past; he longed to reach it with his arrow; he took the bow and shot, but in doing so opened again the imperfectly closed vein, and died of the ensuing hemorrhage. The suggestion that his doctors had mingled poison in their drugs seems unnecessary to explain the death of so self-willed and impetuous a convalescent. He was buried in the basilica of St. Ambrose which he himself (evidently an orthodox Catholic by profession) had reared in the royal city of Ticinum.

Laws of Grimwald.

It should be mentioned that in July 668, in the sixth year of his reign, Grimwald made a short addition to the code of Rothari. It will not be necessary here to examine this additional code minutely. It may be sufficient to say that it shows a general disposition to uphold the prescription of thirty years, whether against a slave claiming pardon, or against a free man resisting the attempt to reduce him to slavery; that wager of battle is discouraged, and trial by *sacramentum* as much as possible substituted for it; and that there are some stringent provisions against the offence, then evidently increasing, of bigamy. The law of Grimwald also imports from the Roman law

the principle of representation of a father by his children in the event of his having died before the ancestor whose property is being divided. From the stress laid on this principle by Grimwald we must suppose that it had been imperfectly recognised by the tribunals of Rothari.

NOTE B. THE STORY OF ST. BARBATUS.

NOTE B.

THE life of St. Barbatus, the most eminent apostle of Catholic Christianity in Southern Italy, has an important bearing on the history of the duchy of Benevento in the seventh century, and especially on the invasion of Constans; but hagiology has a character of its own, and refuses to be wrought in harmoniously with secular history, even in that picturesque and saga-like form which that history assumes in the pages of Paulus. I have decided therefore to relegate to a note the condensed narrative of the saint's life and works.

This narrative is derived from two documents published in the great Bollandist collection of the Acta Sanctorum under the date 19th of February. One of these lives, we are told, is extracted from an ancient codex written *in Lombard characters* belonging to the Benedictine monastery of St. John at Capua. The other, an expanded and paraphrastic copy of the first, comes from the archives of the church at Benevento. Waitz, who has edited the life of the saint in Scriptores Rerum Langobardicarum (M. G. H.), mentions eleven MSS., most of which he has consulted, and three of which are 'litteris Beneventanis exarati.' He considers that even the earlier form of the history cannot have been written before the ninth century, and follows Bethmann in rejecting as valueless the later and paraphrastic form which he attributes to the tenth or eleventh century. From some slight indications (chiefly the description of the invading Emperor as 'Constantinus qui et Constans appellatur'), I should be disposed to believe that there is a foundation of contemporary tradition for the earlier document. The following is a greatly condensed translation of the Life:—

'Barbatus (who was born in the year 602) became famous when Grimwald held the reins of the Lombard kingdom, and his son Romwald ruled the Samnites.

NOTE B.

'The Lombards, though baptized, worshipped the image of a viper; and moreover, they devoutly paid homage in most absurd fashion to a certain "sacrilegious" tree not far from the walls of their city. From the branches of this tree was hung a piece of leather; and all those who were to take part in the ceremony, turning their backs to the tree, rode away from it at a gallop, urging on their horses with bloody spurs. Then suddenly turning round, they hurled their lances at the leather, which quivered under their strokes; and each one cut out a little piece thereof, and ate it in a superstitious manner for the good of his soul[1]. And as they paid their vows at this place, they gave it the name *Votum*, which [says the scribe] it still bears.

'All these superstitious practices greatly distressed the soul of Barbatus, who told the people that it was vain for them thus to try to serve two masters. But they, in their blind and beastlike madness, refused to abandon this equestrian form of worship, saying that it was an excellent custom, and had been handed down to them by their ancestors, whom they mentioned by name, and declared to have been the bravest warriors upon earth.

'However, by his miracles, Barbatus began to soften the hearts of the rude people, who even by drinking the water in which he had washed his hands after celebration of the Mass, found themselves healed of their diseases.

'Then "Constantius, who is also called Constans," desiring to restore the kingdom of Italy to his obedience, collected an innumerable multitude of ships, arrived at Tarentum, and ravaged nearly all the cities of Apulia. He took the very wealthy city of Luceria after severe fighting, and by the labour of his robber-bands levelled it to the earth. Then he went on to Beneventum, where Romwald abode, having a few very brave Lombards with him, and the holy father Barbatus remained there with them. Terrible was the attack of Constans, who harassed the defenders with ever-fresh bands of assailants. This lasted long, but Romwald, magnanimous and unterrified, made a brave resistance,

[1] The second scribe amplifies the simple *corium* (leather) of the first into *putredo corii*, and *ignominiam corii*, and makes the trite reflection, 'Nam quid despicabilius credendum est quam ex mortuis animalibus non carnem sed corium accipere ad esum comestionis ut pravo errori subjecti Longobardi fecerunt?'

now fighting from the walls, now making a sudden sally and hasty return into the city, for he was not strong enough to fight in the open plain. Still, though he had slain many of the assailants, his own ranks were thinned, and the inhabitants began to weep and wail, thinking that they would soon be destroyed by the robber-bands of Constans. As for Romwald, he, growing weary of fighting, gave a counsel of despair to his soldiers [1]:—"It is better for us to die in battle than to fall alive into the hands of the Greeks, and so perish ignominiously. Let us open the gates of the city, and give them the hardest battle that we can." Perceiving this discussion, St. Barbatus said, "Never let so many brave young men be given over to destruction, lest they perish everlastingly. Good were the boldness of your hearts, if your minds were not so empty, and your souls so weak." Said Romwald, "What dost thou mean by emptiness of mind, and weakness of soul? Prithee, tell us." Thereupon Barbatus, promising them the palm of victory, if they would follow his counsels, preached a long sermon against idolatry, and exhorted his hearers to the steady and serious worship of Christ [2].

'Hereupon Romwald said, "Only let us be delivered from our foes, and we will do all that thou biddest us, will make thee bishop of this place, and in all the cities under our rule will enrich thee with farms and 'colonies.'"

'Barbatus answered, "Know for certain that Christ, to whom ye have now turned in penitence, will set you free, and the assaults of Caesar and his people shall not penetrate the streets of Beneventum, but with changed purpose they shall return to their own borders. And that thou mayest know that I am telling thee the very truth, which shall shortly come to pass, let us come together under the wall. There will I show thee the Virgin Mary, the most pious Mother of God, who has offered up her health-giving prayers to God for you, and now, having been heard, comes to your deliverance."

'After public prayers and solemn litanies, and after earnest private prayer offered up by Barbatus in the Church of the Virgin, the people, with Romwald at their head, assembled at the gate

[1] I take some sentences here from the later MS.

[2] So far the later MS.

NOTE B. which is still called Summa. Then Barbatus desired them all to bow down to the dust, for God loveth a contrite heart, and went, in conversation with Romwald, close under the wall. Then suddenly appeared the Mother of God, at sight of whom the Prince fell to the earth and lay like one dead, till the holy man lifted him from the ground and spoke words of comfort to him who had been permitted to see so great a mystery [1].

'On the following day the besieger, who had refused to be turned from his hostile purpose by an immense weight of silver and gold and a countless quantity of pearls and precious stones, now, receiving only the sister of Romwald, turned his back on Beneventum and entered the city of Neapolis. The blessed Barbatus at once took a hatchet, and going forth to Votum, with his own hands hewed down that unutterable tree in which for so long the Lombards had wrought their deadly sacrilege: he tore up its roots and piled earth over it, so that no one thereafter should be able to say where it had stood.

'And now was Barbatus solemnly chosen bishop of Beneventum. Of all the farms and "coloniae" wherewith Prince and people offered to endow him, he would receive nothing, but he consented to have the house of the Archangel Michael on Mount Garganus, and all the district that had been under the rule of the bishop of Sipontum transferred to the See of the Mother of God over which he presided [2].

'Still Romwald and his henchmen, though in public they appeared to worship God in accordance with the teaching of Barbatus, in the secret recesses of the palace adored the image of the Viper to their souls' destruction; wherefore the man of God, with prayers and tears, besought that they might be turned from the error of their way.

[1] It is interesting to observe how the story grows in minuteness as time goes on. In the earlier MS. the words are simply—

'pariterque subeuntes murum visâ Dei genitrice in faciem decidit Princeps, nimioque pavore perterritus et paene exanimis solo consternatus jacebat.'

In the later MS. this becomes—

'Barbatus . . . cum Romualt subiit civitatis murum, et ecce apparuit subito candidae nubis fusio praecipuo plena splendore quae confixa per gyrum turris obumbrabat cacumen, quod eminebat super ipsam portam praefatam, et in medio nubis, delectabilis visio perfuso lumine rutilabat Virginis puerperae vultu et coelorum Reginae perennis.'

[2] Sipontum had probably lain desolate since its ravage by the Sclavonians in 642.

'Meanwhile Romwald's wife, Theuderada, had forsaken the way of error, and was worshipping Christ according to the holy canons. Often when Romwald went forth to hunt, Barbatus would come to visit her, and discourse with her concerning her husband's wickedness. In one of these interviews she, heaving a deep sigh, said, "Oh! that thou wouldest pray for him to Almighty God. I know that it is only by thine intercession that he can be brought to walk in the path of virtue."

'*Barbatus.*—"If thou hast, as I believe, true faith in the Lord, hand over to me the Viper's image, that thy husband may be saved."

'*Theuderada.*—"If I should do this, I know of a surety that I should die."

'*Barbatus.*—"Remember the rewards of eternal life. Such death would not be death, but a great gain. For the faith of Christ thou shalt be withdrawn from this unstable world, and shalt attain unto that world where Christ reigneth with His saints, where shall be neither frost nor parching heat, nor poverty nor sadness, nor weariness nor envy, but all shall be joy and glory without end."

'Moved by such promises she speedily brought him the image of the Viper. Having received it, the bishop at once melted it in the fire, and by the help of many goldsmiths made of it during the prince's absence a paten and chalice of great size and beauty, for the offering up of the body and blood of Jesus Christ.

'When all was prepared, on the sacred day of the Resurrection, Romwald, returning from hunting, was about to enter Beneventum, but Barbatus met him, and persuaded him first to come and assist in celebration of the Mass in the church of the Mother of God. This he did, receiving the communion in the golden vessels made, though he knew it not, from the image of the Viper. When all was done, the man of God approached the prince, and rebuked him sharply for tempting God by keeping the Viper's image in his palace. Should the terrible day of the Divine vengeance come, in vain would he flee to that idol for protection. Hearing these words, Romwald humbly confessed his sin, and promised to give up the image into the bishop's hands. "That thou needest not do," said the saint, "since it has already been changed into the vessels from which thou hast received the body and blood of the Lord. Thus what the Devil

NOTE B. had prepared for thy destruction is now the instrument through which God works thy salvation."

'*Romwald.*—"Prithee tell me, dearest father, by whose orders the idol was brought to thee."

'*Barbatus.*—"I confess that I, speaking in much sorrow to thy wife concerning thy spiritual death, asked her for the image, and received it at her hands."

'Thereat one of the bystanders burst in, saying, "If my wife had done such a thing as that, I would without a moment's delay cut off her head." But Barbatus turned to him and said, "Since thou longest to help the Devil, thou shalt be the Devil's slave." Thereupon the man was at once seized by the Devil and began to be grievously tormented by him. And that this might be a token and a warning to the Lombard nation in after times, the saint predicted that for so many generations [the biographer is not certain of the exact number] there should always be one of his descendants possessed by the Devil, a prophecy which, down to the date of the composition of the biography, had been exactly fulfilled.

'Struck with terror, all the other Beneventans abandoned their superstitious practices, and were fully instructed by the man of God in the Catholic faith, which they still keep by God's favour.

'Barbatus spent eighteen years and eleven months in his bishopric, and died on the eleventh day before the Kalends of March (19th of February, 682), in the eightieth year of his age.'

This curious narrative, however little worthy of credence as a statement of facts, is a valuable piece of evidence as to the spiritual condition of the Lombards of South Italy in the seventh century. We may safely infer from it that conversion to Christianity was a much more gradual process in the south than in the north of Italy. Lupus of Friuli is neither saint nor hero in the pages of Paulus, but his daughter Theuderada is like another Clotilda or Theudelinda to the barbarous, half-heathen rulers of Benevento.

In another Life, contained in the 'Acta Sanctorum,' that of St. Sabinus (ix Februarii), we have a slight notice of Theuderada as a widow. After the death of her husband she ruled 'the Samnites' in the name of her young son [Grimwald II], and

during her regency a certain Spaniard named Gregory came to Spoleto in order to find the tomb of St. Sabinus, who had died more than a century before (in 566). Not finding the sepulchre there, he persuaded the Princess Theuderada to go and seek for it at Canusium. She found the tomb, and on opening it perceived that pleasant odour which often pervaded the sepulchres of the saints. She also found in it a considerable weight of gold, which the biographer thinks had been stored there in anticipation of that invasion of the barbarians which St. Sabinus had foretold. Unmindful of the commission which Gregory had given her to build a church over the saint's tomb, she carried off the gold and returned in haste to Benevento. But when she arrived at Trajan's Bridge over the Aufidus, by the judgment of God her horse slipped and fell. She was raised from the ground by her attendants, but recognised in the accident the vengeance of the saint for her forgetfulness. She hastened back to the holy man's sepulchre, built a church with all speed, reared over his body a beautiful marble altar, and made chalice and paten out of the gold found in the tomb. To the end of his life Gregory the Spaniard ministered in the church of St. Sabinus.

FAMILY OF ARIPERT.

ARIPERT I, 653-661.

- RODELINDA = PERCTARIT, 661-662 and 672-688.
  - HERMELINDA, a Saxon Princess. = CUNINCPERT, 688-700.
    - LIUTPERT, 700.
  - WIGILINDA, m. GRIMWALD II, duke of Benevento.
- a daughter, m. GRIMWALD.
  - GARIBALD, 671.
- GODEPERT, 661-662.
  - RAGINPERT, 700.
    - ARIPERT II, 701-712.
    - GUMPERT.
      - RAGINPERT, Count of Orleans.
      - Two sons.

CHAPTER VII.

THE BAVARIAN LINE RESTORED.

Source:—

Our only source for this part of the history is PAULUS DIACONUS. I have not met with any guide.

PERCTARIT (672-688).

BOOK VII. CH. 7.

Return of Perctarit, 672.

KING GRIMWALD died, leaving a grown-up son Romwald, his successor in the duchy of Benevento, and a child Garibald, the nominal king of the Lombards under the regency of his mother, the daughter of King Aripert. It was not to be expected, however, that the banished Perctarit would tamely acquiesce in his exclusion from the throne by his sister's infant son: and in fact, if the story told by Paulus be true, he appeared upon the scene even sooner than men had looked for him. One of the latest acts of Grimwald's reign had been to conclude a treaty of alliance with the king of the Franks[1], and a chief article of that treaty had been the exclusion of Perctarit from the Frankish realms. The hunted exile had accordingly taken ship for 'the kingdom of the Saxons'

[1] 'Dagobert,' says Paulus (H. L. v. 32), but as the death of Grimwald took place in 671, and the accession, or more strictly the return, of Dagobert II was in 674, it is generally agreed that Paulus must be in error, and that either Chlotochar III or Childeric II must be the king with whom Grimwald nominally made the treaty. In any case it would not be the Merovingian *roi fainéant*, but Ebroin, the stalwart Mayor of the Palace, who would be the negotiator.

BOOK VII. CH. 7. 672.

(that is to say, probably the coasts of Kent), but had only proceeded a short distance on his voyage when a voice was heard from the Frankish shore, enquiring whether Perctarit was on board. Receiving an affirmative answer, the voice proceeded, 'Tell him to return into his own land, since it is now the third day since Grimwald perished from the sunlight.' Hearing this, Perctarit at once returned to the shore, but found no one there who could tell him anything concerning the death of Grimwald, wherefore he concluded that the voice had been that of no mortal man, but of a Divine messenger. Returning in all haste to his own land, he found the Alpine passes filled with a brilliant throng of courtiers surrounded by a great multitude of Lombards, all expecting his arrival. He marched straight to Pavia, and in the third month after the death of Grimwald was hailed as king by all the Lombards. The child Garibald was driven forth, and we hear no more of the further fortunes of him or his mother. Rodelinda, the wife of Perctarit, and Cunincpert his son, were at once sent for from Benevento. Romwald seems to have given them up without hesitation, and to have peaceably acquiesced in the reign of the restored Perctarit, whose daughter eventually married his eldest son.

Reign of Perctarit, 672–688.

For about seventeen years did 'the beloved PERCTARIT' rule the Lombard state; a man of comely stature, full habit of body, gentle temper, kind and affable to all, and with a remarkable power (attested in the history of his wanderings) of attaching to himself the affections of those beneath him in station. He was a devout Catholic, and one of the first acts of his reign was to build and richly endow a convent

for nuns called the 'New Monastery[1] of St. Agatha,' in that part of Pavia which adjoins the walls whence he had made his memorable escape. Queen Rodelinda also built a basilica in honour of the Virgin outside the walls of Pavia, which she adorned 'with many wonderful works of art,' of all which unfortunately not a trace now remains[2].

The only exception that we can find to the generally mild character of Perctarit's rule is his treatment of the Jewish people. Like the Visigoths, the Lombards would seem to have written their adhesion to their new faith in the blood and tears of the Hebrew. We learn from the rude poem on the Synod of Pavia that Perctarit caused the Jews to be baptized, and ordered all who refused to believe to be slain with the sword[3].

Association of Cunincpert, 680.

In the eighth year of his reign Perctarit associated with himself his son Cunincpert, with whom he reigned jointly for more than eight years[4].

[1] Paulus, contrary to our usage, calls this convent for female recluses 'monasterium.'

[2] Paulus here tells us of a curious Lombard custom. Queen Rodelinda's church was called 'Ad Perticas' (The Poles), because it was built near a Lombard cemetery where had stood a great number of poles erected according to Lombard fashion in honour of relations who had died in war, or by any other mischance away from home, and who therefore could not be buried in the sepulchre of their fathers. On the top of the pole was placed the wooden image of a dove, looking towards that quarter of the horizon where the beloved dead was reposing. (H. L. v. 34.)

[3] 'Subolis item Berthari (*sic*) in solium
Regni suffectus, imitatus protinus
Exempla patris, ad fidem convertere
Judaeos fecit baptizandos, credere
Qui rennuerunt, gladium peremere.'
(Carmen de Synodo Ticinensi; see vol. v. p. 483.)

[4] 'Ten years,' says Paulus, but this is evidently an error.

BOOK VII. CH. 7.

The only break in the generally peaceful and prosperous reign of Perctarit was caused by the seditious movements of Alahis, Duke of Trient, who for some years was a great troubler of the Lombard commonwealth. This Alahis had met in battle and signally defeated the count or *gravio* of the Bavarians, who ruled Botzen and the neighbouring towns [1]. Elated by this victory he rebelled against the gentle Perctarit, shut himself up in Tridentum, and defied his sovereign. The king marched into the valley of the Adige and commenced a formal siege, but in a sudden sally Alahis broke up his camp, and compelled him to seek safety in flight. No victory after this seems to have restored the honour of the king's arms, but by the intervention of the young Cunincpert the rebel duke was induced to come in and seek to be reconciled to his lord. Not forgiveness only, but a great increase of the power of Alahis was eventually the result of this reconciliation. More than once had Perctarit decided to put him to death, but he relented, and at the earnest request of Cunincpert (who pledged himself for the future fidelity of his friend), the great and wealthy city of Brescia, full of noble Lombard families, was added to the duchy of Alahis. Even in complying with this often-urged request, Perctarit told his son that he was compassing his own ruin in thus strengthening a man who would assuredly one day seek to upset his throne [2].

Rebellion of Alahis, duke of Trient.

[1] 'Hic dum dux esset in Tredentina civitate, cum comite Baioariorum quem illi gravionem dicunt, qui Bauzanum et reliqua castella regebat, conflixit eumque mirificé superavit' (Paulus, H. L. v. 36).

[2] 'Nec destitit patrem optinere, quin etiam ei ducatum Brexine

BOOK VII. CH. 7.

Death and burial of Perctarit, 688 (?).

The kings of the Bavarian line appear to have been great builders. About this time Perctarit built, 'with wonderful workmanship,' a great gate to the city of Pavia, which was called *Palatiensis*, because it adjoined the royal palace. And when, soon after, his time came to die, he was laid near the church of the Saviour which his father Aripert had builded in Pavia.

CUNINCPERT (688-700),

Reign of Cunincpert, 688-700.

who had already, as we have seen, ruled for some years jointly with his father, was now sole king, and his reign lasted till the end of the century. A strangely compounded character, this large-limbed muscular man, of amorous temperament, and apt to tarry too long over the wine-cup, was also apparently a devout Catholic, a friend of the rulers of the Church, an 'elegant' man, and famous for his good deeds [1]. He had married a Saxon princess named Hermelinda, probably a relative of the king of Kent, in whose dominions he had been on the point of taking refuge [2].

contribueret, reclamante saepius patre quod in suam hoc Cunincpert perniciem faceret, qui hosti suo ad regnandum vires praeberet' (Paulus, H. L. v. 36). One is reminded of James the First's warning to Baby Charles that 'he would one day have his belly-full of Parliaments.'

[Hartmann (Gesch. It. II. i. p. 279) thinks that about 677 Lombard emissaries appeared in Constantinople and negotiated a peace between Perctarit and Constantine Pogonatus. His authority for this is a passage in Theophanes, A. M. 6169, where he describes kings, exarchs, and κάσταλδοι (? Lombard *gastaldi*) suing for peace to Pogonatus.]

[1] 'Fuit autem vir elegans et omni bonitate conspicuus audaxque bellator' (Paulus, H. L. vi. 17).

[2] Ecgberht, king of Kent from 664 to 673, had a sister Eormengild, who married the king of Mercia. In the family of his

BOOK VII. CH. 7.

Affair of Theodote.

Hermelinda, who had seen in the bath a young maiden of the noblest Roman ancestry, named Theodote, incautiously praised in her husband's presence her comely figure and luxuriant growth of flaxen hair, descending almost to her feet[1]. Cunincpert listened with well-dissembled eagerness, invited his wife to join him in a hunting expedition to the 'City' forest in the neighbourhood of Pavia, returned by night to the capital, and gratified his unhallowed passion. How long the intrigue lasted or by what means it was brought to a close we are not told, but when it was ended, he sent her to a convent at Pavia, which long after bore her name[2].

Usurpation of Alahis.

It was apparently soon after Cunincpert's accession that that 'son of wickedness'[3], Alahis, forgetful of the great benefits which he had received from the king, forgetful of his old intercession on his behalf, and of

uncle Eormenred, all the daughters' names began with 'Eormen' (Eormenbeorh, -burh, and -gyth), as all the sons' names began with 'Æthel.' From one of these families might well spring Eormenlind or Hermelinda. (Lappenberg's History of England, translated by Thorpe, i. 285.) It is noticeable that Paulus again uses a compound word like Anglo-Saxon—'At vero Cunincpert rex Hermelinda *ex Saxonum-Anglorum genere,* duxit uxorem' (H. L. v. 37).

[1] 'Quae cum in balneo Theodotem, puellam ex nobilissimo Romanorum genere ortam, eleganti corpore et flavis prolixisque capillis pene usque ad pedes decoratam vidisset' (Paulus, H. L. v. 37). The fact that any Roman ancestry was reckoned to be *nobilissimum* among the Lombards is important. The profusion of golden hair in a woman so descended is unlike our conventional ideas of Roman race-characteristics.

[2] 'In monasterium quod de illius nomine intra Ticinum appellatum est misit.' Bianchi (quoted by Waitz in loco) says that the convent of St. Mary Theodote is now commonly called 'della Posterla.'

[3] 'Filius iniquitatis Alahis nomine' (Paulus, H. L. v. 36).

the faith which he had sworn to observe towards him, began to plot his overthrow. Two brothers, powerful citizens of Brescia, Aldo and Grauso, and many other Lombards, entered into the plot, for which, doubtless, there was some political pretext, perhaps Cunincpert's inefficiency as a ruler, perhaps his drunken revelries, perhaps his too great devotion to the interests of the Church. Whatever the cause, Alahis entered Pavia during Cunincpert's temporary absence from his capital, and took possession of his palace and his throne. When tidings of the revolt were brought to Cunincpert, he fled without striking a blow to that 'home of lost causes,' the island on Lake Como, and there fortified himself against his foe.

His insulting conduct to the clergy.

Great was the distress among all the friends and adherents of the fugitive king, but pre-eminently among the bishops and priests of the realm, when they learned that Alahis, who was a notorious enemy of the clergy, was enthroned in the palace at Pavia. Still, desiring to be on good terms with the new ruler, Damian, the bishop of the city, sent a messenger, the deacon Thomas, a man of high repute for learning and holiness, to give him the episcopal blessing. The deacon was kept waiting for some time outside the gates of the palace; he received a coarse and insulting message from its occupant; and when at last admitted to his presence, he was subjected to a storm of invective which showed the deep hatred of the clerical order that burned in the heart of Alahis. That hatred was mutual, and the bishops and priests of the realm, dreading the cruelty of the new ruler, longed for the return of the banished Cunincpert.

At length the overthrow of the tyrant came from

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Aldo and Grauso conspire against Alahis.

an unexpected quarter. Alahis was one day counting out his money on a table, while a little boy, son of his Brescian adherent Aldo, was playing about in the room. A golden *tremisses*[1] fell from the table and was picked up by the boy, who brought it to Alahis. The surly-tempered tyrant, little thinking that the child would understand him, growled out, 'Many of these has thy father had from me, which he shall pay me back again soon, if God will.' Returning home that evening, the boy told his father all that had happened, and the strange speech of the king, by which Aldo was greatly alarmed. He sought his brother Grauso, and took counsel with him and their partisans how they might anticipate the blow, and deprive Alahis of the kingdom before he had completed his design. Accordingly they went early to the palace, and thus addressed Alahis: 'Why do you think it necessary always to remain cooped up in the city? All the inhabitants are loyal to you, and that drunkard Cunincpert is so besotted that all his influence is gone. Go out hunting with your young courtiers, and we will stay here with the rest of your faithful servants, and defend this city for you. Nay more, we promise you that we will soon bring back to you the head of your enemy Cunincpert.' Yielding to their persuasions, Alahis went forth to the vast forest already mentioned called the 'City forest,' and there passed his time in hunting and sport of various kinds[2]. Meanwhile Aldo and Grauso journeyed in haste to the Lake of Como, took ship there, and

[1] The third part of a *solidus aureus*, worth about four shillings.

[2] 'Ad Urbem, vastissimam sylvam, profectus est ibique se jocis et venationibus exercere coepit' (Paulus. H. L. v. 39).

sought Cunincpert on his island. Falling at his feet, they confessed and deplored their past transgressions against him, related the menacing words of Alahis, and explained the insidious counsel which they had given him. After weeping together and exchanging solemn oaths, they fixed a day on which Cunincpert was to present himself at the gates of Pavia, which they promised should be opened to receive him.

Return of Cunincpert.

All went prosperously with the loyal traitors. On the appointed day Cunincpert appeared under the walls of Pavia. All the citizens, but pre-eminently the bishop and his clergy, went eagerly forth to meet him. They embraced him with tears: he kissed as many of them as he could[1]: old and young with indescribable joy sang their loud hosannas over the overthrow of the tyrant and the return of the beloved Cunincpert. Word was at the same time sent by Aldo and Grauso to Alahis that they had faithfully performed their promise, and even something more, for they had brought back to Pavia not only the head of Cunincpert, but also his whole body, and he was at that moment seated in the palace.

Alahis raises the Eastern half of the kingdom against Cunincpert.

Gnashing his teeth with rage, and foaming out curses against Aldo and Grauso, Alahis fled from the neighbourhood of Pavia, and made his way by Piacenza into the Eastern half of the Lombard kingdom, a territorial division which we now for the first time meet with under a name memorable for Italy in after centuries, and in another connexion—the fateful name of AUSTRIA[2]. It is probable that there was

[1] 'Ille omnes prout potuit osculatus est' (Paulus, H. L. v. 39).

[2] The boundary between the Eastern and Western provinces, Austria and Neustria, seems to have been the river Adda. This

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in this part of the kingdom an abiding feeling of discontent with the rule of the devout drunkard Cunincpert, and a general willingness to accept this stern and strenuous duke of Trient as ruler in his stead. Some cities, indeed, opposed his party. Vicenza sent out an army against him, but when that army was defeated, she was willing to become his ally. Treviso was visited by him, and by gentle or ungentle means was won over to his side. Friuli collected an army which was to have marched to the help of Cunincpert, but Alahis went to meet them as far as the bridge over the Livenza, at forty-eight Roman miles distance from Friuli. Lurking there in a forest [1] hard by, he met each detachment as it was coming up separately, and compelled it to swear fidelity to himself, taking good care that no straggler returned to warn the oncoming troops of the ambush into which they were falling. Thus by the energetic action of Alahis the whole region of 'Austria' was ranged under his banners against the lawful ruler.

Increasing importance of the cities.

It may be noticed in passing that the language of Paulus in describing these events seems to show that the cities were already acquiring some of that power of independent action which is such a marked characteristic of political life in Italy in the Middle Ages. The turbulent personality of Duke Alahis is indeed sufficiently prominent, but he is the only duke

is, as I have said above, the first mention of Austria in the pages of Paulus. He nowhere mentions Neustria, but both terms are used freely in the laws of Liutprand from 713 onwards.

[1] 'In sylvam quae Capulanus dicitur latens.' The scene of this strange encounter must have been somewhere near Concordia. All traces of a forest in that region have, I imagine, long ago disappeared.

mentioned in the whole chapter. It is 'the cities' of Austria that, partly by flattery, partly by force, Alahis wins over to his side. The citizens of Vicenza go forth to battle against him, but become his allies. It is the 'Forojulani,' not the duke of Forum Julii[1], that send their soldiers as they suppose to assist King Cunincpert, but really to swell the army of his rival[2].

Battle of the Adda.

Thus then were the two great divisions of the Lombard kingdom drawn up in battle array against one another on the banks of the Adda, the frontier stream[3]. Nobly desirous to save the effusion of so much Lombard blood, Cunincpert sent a message to his rival, offering to settle the dispute between them by single combat. But for such an encounter Alahis had little inclination, and when one of his followers, a Tuscan by birth, exhorted him as a brave warrior to accept the challenge, Alahis answered, 'Though Cunincpert is a stupid man, and a drunkard, he is wonderfully brave and strong. I remember how in his father's time, when he and I were boys in the palace together, there were some rams there of unusual size, and he would take one of them, and lift him up by the wool on his back, which I could never do.' At this the Tuscan said, 'If thou darest not meet

[1] Probably Rodwald, but not even his name is mentioned here.

[2] 'Per Placentiam ad Austriam rediit *singulasque civitates* partim blanditiis, partim viribus *sibi socios adscivit.* Nam Vincentiam veniens, contra eum *ejus cives egressi,* bellum paraverunt, sed mox victi, *ejus socii effecti sunt.* Inde exiens Tarvisium pervasit, pari modo etiam et reliquas civitates. Cumque contra eum Cunincpert exercitum colligeret et *Forojulani* in ejus auxilium juxta fidelitatem suam vellent proficisci,' &c. (Paulus, H. L. v. 39).

[3] 'In campo cui Coronate nomen est castra posuere' (Paulus, H. L. v. 39). Lupi (i. 359) proves that this is Cornate on the Adda, about ten miles south-west of Bergamo.

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Cunincpert in single combat, thou shalt not have me to help thee in thy enterprise.' And thereat he went over at once to the camp of Cunincpert, and told him all these things.

Self-devotion of Deacon Seno.

So the armies met in the plain of Coronate, and when they were now about to join battle, Seno, a deacon of the basilica of St. John the Baptist (which Queen Gundiperga had built at Pavia), fearing lest Cunincpert, whom he greatly loved, should fall in the battle, came up and begged to be allowed to don the king's armour, and go forth and fight Alahis. 'All our life,' said Seno, 'hangs on your safety. If you perish in the war, that tyrant Alahis will torture us to death. Let it then be as I say, and let me wear your armour. If I fall, your cause will not have suffered; if I conquer, all the more glory to you, whose very servant has overcome Alahis.' Long time Cunincpert refused to comply with this request, but at length his soft heart was touched by the prayers and tears of all his followers, and he consented to hand over his coat of mail, his helmet, his greaves, and all his other equipments to the deacon, who being of the same build and stature, looked exactly like the king when arrayed in his armour.

Thus then the battle was joined, and hotly contested on both sides. Where Alahis saw the supposed king, thither he pressed with eager haste, thinking to end the war with one blow. And so it was that he killed Seno, whereupon he ordered the head to be struck off, that it might be carried on a pole amid the loud shouts of 'God be thanked' from all the army[1].

[1] 'Cumque caput ejus amputari praecepisset, ut levato eo in conto "Deo gratias" adclamarent.'

But when the helmet was removed for this purpose, lo! the tonsured head showed that they had killed no king, but only an ecclesiastic. Cried Alahis in fury, 'Alas! we have done nothing in all this great battle, but only slain a cleric.' And with that he swore a horrible oath, that if God would grant him the victory he would fill a well with the amputated members of the clerics of Lombardy.

Death of Alahis and victory of Cunincpert.

At first the adherents of Cunincpert were dismayed, thinking that their lord had fallen, but their hearts were cheered, and they were sure of victory, when the king, with open visor[1], rode round their ranks assuring them of his safety. Again the two hosts drew together for the battle, and again Cunincpert renewed his offer to settle the quarrel by single combat and spare the lives of the people. But Alahis again refused to hearken to the advice of his followers and accept the challenge; this time alleging that he saw among the standards of his rival the image of the Archangel Michael, in whose sanctuary he had sworn fidelity to Cunincpert. Then said one of his men, 'In thy fright thou seest things that are not. Too late, I ween, for thee is this kind of meditation on saints' images and broken fealty.' The trumpets sounded again for the charge: neither side gave way to the other: a terrible slaughter was made of Lombard warriors. But at length Alahis fell, and by the help of God victory remained with Cunincpert. Great was the slaughter among the fleeing troops of Alahis, and those whom the sword spared the river Adda swept away. The men of Friuli took no share in the battle,

[1] This is not said by Paulus, but I infer it from the fact that the 'cassis' of the deacon concealed his features.

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since their unwilling oath to Alahis prevented them from fighting for Cunincpert, and they were determined not to fight against him. As soon therefore as the battle was joined, they marched off to their own homes.

The head and legs of Alahis were cut off, leaving only his trunk, a ghastly trophy: but the body of the brave deacon Seno was buried by the king's order before the gates of his own basilica of St. John. Cunincpert, now indeed a king, returned to Pavia amid the shouts and songs of triumph of his exultant followers. In after-time he reared a monastery[1] in honour of St. George the Martyr on the battlefield of Coronate in memory of his victory[2].

Story of Aldo and Grauso.

There is a sequel to this history of the rebellion of Alahis as told by Paulus, but the reader will judge for himself what claim it has to be accepted as history. On a certain day after the rebellion was crushed, King Cunincpert was sitting in his palace at Pavia, taking counsel with his *Marpahis* (master of the horse) how he might make away with Aldo and Grauso, aforetime confederates with Alahis. Suddenly a large fly alighted near them, at which the king struck with a knife, but only succeeded in chopping off the insect's

[1] Paulus, H. L. vi. 17.

[2] The city of Modena had been half ruined during the insurrection of Alahis, but was raised again from the ground and restored by the king to all its former comeliness. So says the author of the Carmen de Synodo Ticinensi:—

> 'Elictus (*sic*) gente a Deo ut regeret
> Langibardorum rebelles conpescuit
> Bello prostravit Alexo (*sic*) nequissimo
> Semidiruta nuncupata Motina
> Urbe pristino decore restituit.'

[Hartmann (II. i. pp. 268, 279) identifies the author of the Carmen as Magister Stephanus.]

foot. At the same time Aldo and Grauso, ignorant of any design against them, were coming towards the palace; and when they had reached the neighbouring basilica of St. Romanus the Martyr, they were suddenly met by a lame man with a wooden leg, who told them that Cunincpert would slay them if they entered his presence. On hearing this they were seized with fear, and took refuge at the altar of the church. When the king heard that they were thus seeking sanctuary, he at first charged his *Marpahis* with having betrayed his confidence, but he naturally answered that, having never gone out of the king's presence, nor spoken to any one, he could not have divulged his design. Then he sent to Aldo and Grauso to ask why they were in sanctuary. They told him what they had heard, and how a one-legged messenger had brought them the warning, on which the king perceived that the fly had been in truth a malignant spirit, who had betrayed his secret counsels. On receiving his kingly word pledged for their safety, the two refugees came forth from the basilica, and were ever after reckoned among his most devoted servants. The clemency and loyalty of the 'beloved' Cunincpert need not perhaps be seriously impugned for the sake of a childish legend like this.

Pestilence in Italy.

It was probably in the early years of Cunincpert's reign that a terrible pestilence broke out among the people, and for three months, from July to September, ravaged the greater part of Italy. Each of the two capitals, Rome and Pavia, suffered terribly from its devastation. In Rome, two were often laid in one grave, the son with his father, the brother with his

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sister. At Pavia the ravages of the pestilence were so fearful, that the panic-stricken citizens went forth and lived on the tops of the mountains, doubtless in order to avoid the malarious air of the Po valley. In the streets and squares of the city, grass began to grow: and the terrified remnant that dwelt there had their misery enhanced by ghostly fears. To their excited vision appeared two angels, one of light and one of darkness, walking through their streets. The evil angel carried a hunting-net in his hand: and ever and anon, with the consent of the good angel, he would stop before one of the houses, and strike it with the handle of his net. According to the number of the times that he struck it, was the number of the inmates of that house carried forth next morning to burial. At length it was revealed to one of the citizens that the plague would only be stayed by erecting an altar to the martyr St. Sebastian in the basilica of St. Peter ad Vincula. The relics of the martyr were sent for from Rome, the altar was erected, and the pestilence ceased.

Culture at the court of Cunincpert.

Notwithstanding the interruptions of war and pestilence, the court life of Pavia during the reign of Cunincpert seems to have been, in comparison with that of most of his predecessors, a life of refinement and culture. At that court there flourished a certain renowned grammarian, or as we should say, a classical scholar, named Felix, whose memory has been preserved, owing to the fact that his nephew Flavian was the preceptor of the Lombard historian[1]. To him, besides many other gifts, the king gave a walking-

[1] See vol. v. p. 71.

stick adorned with silver and gold, which was no doubt preserved as an heirloom in his family[1].

Coinage.

It is noteworthy, as showing the increasing civilisation of the Lombards under this king, that he is the first of his race whose effigy appears on a national coinage. His gold coins, obviously imitated from those of Byzantium, bear on the obverse the effigy of 'Dominus Noster Cunincpert,' and on the reverse a quaint representation of the Archangel Michael, that favourite patron saint of the Lombards, whose image the panic-stricken Alahis saw among the royal standards at the great battle by the Adda.

Visit of Ceadwalla the West Saxon, 689.

It was in the second year of the reign of Cunincpert, and doubtless before the outbreak of the rebellion, that he received the visit of a king from our own land, who not of constraint, but of his own free will, had laid aside his crown. This was Ceadwalla, king of the West Saxons, a young man in the very prime of life, who had, only four years before, won from a rival family the throne of his ancestors. In his short reign he had shown great activity after the fashion of his

[1] Cavaliere Grion thinks that it is probable that this Felix is commemorated by an inscription at the grotto of S. Giovanni d'Antro, a few miles from Cividale. As he truly remarks, there is nothing in Paulus' account to prove that Felix always lived at Pavia, though he was undoubtedly a *persona grata* at the king's court, The inscription runs as follows:—

'IACEO INDIGNVS HIC TVMV
LATVS EGO FELIX AD FVN
DAMENTA SCORVM ECCLAE
IOHIS BAPTISTAE AC EVANGELISÆ
IDCIRCO OBSECRO OMS ASCENDEN
TES ET DESCENDENTES VT PRO ME
IS FACINORIBVS DM PRECARE DIGNE
MINI.'

anarchic time, had annexed Sussex, ravaged Kent, conquered and massacred the inhabitants of the Isle of Wight, and given to two young princes[1] of that island the crown of martyrdom. But in the attack on Kent, his brother Mul, a pattern of the Saxon virtues, generosity, courtesy, and savage courage, had been burned in a plundered house by the enraged men of Kent. Either the loss of this brother, or the satiety born of success, determined Ceadwalla to lay aside the crown, to go on pilgrimage, if possible to die. He was received with marvellous honour by King Cunincpert, whose wife was in a certain sense his countrywoman. He passed on to Rome, and was baptized on Easter Day by Pope Sergius, changing his rough name Ceadwalla for the apostolic Peter. Either the climate of Rome, the exaltation of his spirit, or the austerities which were practised by the penitent, proved fatal. He died on the 20th of April, 689, ten days after his baptism, and an epitaph in respectable elegiacs, composed by order of the Pope,

[1] The brothers of Arwald, king of the island. The account of the martyrdom in Baeda (iv. 16) is an extraordinary sample of the religious ideas of the age. The two lads are found hiding, and brought to the victorious king, who orders them to be slain. Cyniberct (the same name as that of the Lombard king), abbot of Swallowford, comes to the king, who is being cured of wounds received in battle with the men of Wight; and begs of him that if the boys must be killed they may be first 'imbued with the sacraments of the Christian faith.' The king gives his consent, and the abbot instructs them in the word of truth, washes them in the Saviour's fountain, and makes them certain of an entrance into His eternal kingdom. The executioner soon appears, and the two boys gladly submit to temporal death, not doubting that they thereby pass to the eternal life of the soul. The day of the martyrdom of the 'Fratres Regis Arwaldi Martyres' was long celebrated on the 21st of August (Thorpe on Lappenberg, i. 260).

preserved to after-generations the memory of his high birth, his warlike deeds, the zeal which had brought him from the uttermost ends of the earth to visit the City of Romulus, and the devotion to the Papal See which had caused him to visit the tomb and assume the name of Peter [1].

Synod of Pavia, 698.

Near the end of his reign Cunincpert summoned that synod at Pavia which brought about the reconciliation between the Patriarch of Aquileia and the Roman Pontiff, and closed the dreary controversy on the Three Chapters, as has been already told in tracing the history of the Istrian schism [2].

A trial of horsemanship.

Cunincpert was generally on the most friendly terms with his bishops and clergy, but once it happened that John, bishop of Bergamo, a man of eminent holiness, said something at a banquet which offended him, and the king, condescending to an ignoble revenge, ordered his attendants to bring for the bishop's use a high-spirited and ill-broken steed, which with a loud and angry snort generally dismounted those who dared to cross his back. To the wonder of all beholders however, as soon as the bishop had mounted him, the horse became perfectly tractable, and with a gently ambling pace bore him to his home. The king was so astonished at the miracle that he gave the horse to the bishop for his own, and ever after held him in highest honour.

Death of Cunincpert, 700.

The last year of the seventh century saw the end of the reign of Cunincpert. He must have died in middle life, and possibly his death may have been

[1] This epitaph is given by Baeda (H. E. v. 7) and copied by Paulus (H. L. vi. 15).

[2] See vol. v. p. 483.

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hastened by those deep potations, which seem to have been characteristic of his race [1]. But whatever were his faults, he had his father's power of winning the hearts of his servants. He was 'the prince most beloved by all [2],' and it was amid the genuine tears of the Lombards that he was laid to rest by his father's side, near his grandfather's church of 'Our Lord and Saviour.'

LIUTPERT (700),

Short reign of Liutpert under the guardianship of Ansprand, 700.

the son of Cunincpert, succeeded his father, but being still only a boy, he was under the guardianship of Ansprand, a wise and noble statesman, the father of a yet more illustrious son, who was one day to shed a sunset glory over the last age of the Lombard monarchy. At this time Ansprand had little opportunity of showing his capacity for rule, for after eight months Raginpert, duke of Turin, the son of Godepert, whom Grimwald slew forty years before, a man of the same generation and about the same age as the lately deceased king, rose in rebellion against his kinsman; and marching eastwards with a strong army, met Ansprand and his ally, Rotharit, duke of Bergamo, on the plains of Novara—a name of evil omen for Italy—defeated them and won the crown, which however he was not destined long to wear.

RAGINPERT (700).
ARIPERT II (701–712).

Reign of Raginpert.

The new king died very shortly after his accession, in the same year which witnessed the death of

[1] Of Perctarit it is said, 'Bibat ebriosus ille' (Paulus, H. L. v. 2); of Cunincpert, 'Quamvis ebriosus sit et stupidi cordis' (Ibid. v. 40).

[2] 'Cunctis amabillimus princeps' (Paulus, vi. 17).

Cunincpert. The boy-king Liutpert and his guardian Ansprand had yet a party, Rotharit and three other dukes[1] being still confederate together. Aripert II, son of Raginpert, marched against them, defeated them in the plains near Pavia, and took the boy-king prisoner. His guardian Ansprand fled, it need hardly be said, to the Insula Comacina, where he fortified himself against the expected attack of the usurper.

Accession of his son, Aripert II, 701.

Rotharit meanwhile returned to Bergamo, and discarding all pretence of championing the rights of Liutpert, styled himself king of the Lombards. Aripert marched against him with a large army, took the town of Lodi, which guarded the passage of the Adda, and then besieged Bergamo. The 'battering rams and other machines,' which now formed part of the warlike apparatus of the Lombards, enabled him without difficulty to make himself master of the place[2]. Rotharit the pretender[3] was taken prisoner: his head and his chin were shaved, and he was sent into banishment into Aripert's own city, Turin, where not long after he was slain. The child Liutpert was also taken prisoner, and killed by drowning in a bath[4].

Rebellion of Rotharit.

Death of Liutpert.

The boy-king being thus disposed of, the faithful guardian Ansprand remained to be dealt with. An army, doubtless accompanied by something in the nature of a flotilla, was sent to the Insula Comacina.

Flight of Ansprand and cruelties practised on his family.

[1] Ato, Tatzo, and Farao. There can be no doubt that these are dukes, though we are not told over what cities they ruled.

[2] 'Bergamum obsedit eamque cum arietibus et diversis belli machinis sine aliquâ difficultate expugnans' (Paulus, H. L. vi. 20); an important passage for the history of the art of war.

[3] 'Rotharit pseudo-regem' (Ibid.)

[4] 'Liutpertum vero, quem ceperat pari modo in balneo vitâ privavit' (Ibid.)

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Learning its approach, and knowing himself powerless to resist it, Ansprand fled up the Splügen Pass by way of Chiavenna and Coire to Theudebert, duke of the Bavarians, who, for the sake doubtless of his loyalty to the Bavarian line[1], gave him for nine years shelter in his court. The island on lake Como was at once occupied by Aripert's troops, and the town erected on it destroyed[2]. Unable to reach the brave and faithful Ansprand, Aripert, now established in his kingdom, wreaked cruel vengeance on his family. His wife Theodarada, who had with womanish vanity boasted that she would one day be queen, had her nose and ears cut off[3]. The like hideous mutilation was practised on his daughter Aurona, herself apparently already a wife and a mother[4]. Sigiprand, the eldest son, was blinded, and all the near relations of the fugitive were in one way or other tormented. Only Liutprand, the young son of Ansprand, escaped the cruel hands of the tyrant, who despised his youth, and after keeping him for some time in imprisonment, allowed him to depart for the Bavarian land, where he was received with inexpressible joy by his father.

Reign of Aripert II, 701–712.

Pilgrimage of Anglo-Saxons to Rome.

Of the twelve years' reign of Aripert II we have but little information, except as to the civil wars caused by his usurpation of the crown. The inhabitants of Italy saw with surprise the increasing number of Anglo-Saxon pilgrims, noble and base-born, men and

[1] Of course Aripert as well as Liutpert belonged to this line.

[2] 'Exercitus vero Ariperti insulam . . . invadens, ejus oppidum diruit' (Paulus, H. L. vi. 21).

[3] 'Quae cum se voluntate feminea reginam futuram esse jactaret, naso atque auribus abscisis decore suae faciei deturpata (*sic*) est' (Ibid. 22).

[4] See Paulus, H. L. vi. 50.

women, laymen and clergy, who, 'moved by the instinct of a divine love,' and also deeming that they thus secured a safer and easier passage to Paradise, braved the hardships of a long and toilsome journey, and came on pilgrimage to Rome. It was thus, during the reign of Aripert, that Coinred, king of the Mercians, grandson of that fierce old heathen Penda, came with the young and comely Offa, prince of the East Saxons, to Rome, and there, according to Paulus, speedily obtained that death which they desired[1]. Thus also, sixteen years later, Ine, king of Wessex, lawgiver and warrior, after a long and generally prosperous reign of thirty-seven years, forcibly admonished by his wife as to the vanity of all earthly grandeur, followed the example of his kinsman Ceadwalla, and, resigning his crown to his brother-in-law, turned his pilgrim steps towards Rome, where he died, a humbly clad but not tonsured monk[2].

709.

725.

Foreign and domestic policy of Aripert II.

King Aripert, however, did not greatly encourage the visits of strangers to his land. When the ambassadors of foreign nations came to his court, he would don his cheapest garments of cloth or of leather, and would set before them no costly wines, nor any other dainties, in order that the strangers might be impressed by the poverty of Italy. One might say that he remembered the manner of the invitation which, according to the *Saga*, Narses had given to his people,

[1] 'His etiam diebus duo reges Saxonum ad vestigia apostolorum Romam venientes, sub velocitate ut optabant defuncti sunt' (H. L. vi. 28: see also vi. 37). Paulus adapts and slightly modifies the statements of Baeda, Hist. Eccl. v. 7 and 19.

[2] Lappenberg, i. 267, quoting Baeda, H. E. v. 7; and William of Malmesbury, i. 2.

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and was determined that no second invitation of the same kind should travel northward across the Alps. Like the Caliph of the next century, Haroun al Råschid, Aripert would roam about by night, disguised, through the streets of the cities of his kingdom, that he might learn what sort of opinion his subjects had of him, and what manner of justice his judges administered. For he was, says Paulus, 'a pious man, given to alms, and a lover of justice, in whose days there was great abundance of the fruits of the earth, but the times were barbarous [1].'

His devotion to the Church.

Certainly the times were barbarous, if Aripert II was a fair representative of them. There is a taint of Byzantine cruelty in his blindings and mutilations of the kindred of his foes, of more than Byzantine, of Tartar savagery in the wide sweep of his ruthless sword. He was devout, doubtless, a great friend of the Church, as were almost all of these kinsmen of Theudelinda. We are told that he restored to the Apostolic See a large territory in the province of the Cottian Alps, which had once belonged to the Papal Patrimony, and that the epistle announcing this great concession was written in letters of gold [2]. Admirable

[1] 'Fuit quoque vir pius, elymosynis deditus ac justitiae amator; in cujus temporibus terrae ubertas nimia, *sed tempora fuere barbarica*' (Paulus, H. L. vi. 35).

[2] There has been some discussion as to whether Paulus (H. L. vi. 28) means to imply that the *whole province* of the Alpes Cottiae formed part of the Papal Patrimony (see Grisar, Rundgang durch die Patrimonien, p. 352). But the corrected text of Paulus shows that, though his words are not well chosen, he did not mean to say this, but only that there was a certain part of the Papal Patrimony situated in the above-named provinces.

as are, for the most part, the judgments of character expressed by the Lombard deacon, it is difficult not to think that in this case a gift had blinded the eyes of the wise, and that Aripert's atrocious cruelties to the family of Ansprand are condoned for the sake of the generous gifts which he, like Henry of Lancaster, bestowed on the Church which sanctioned his usurpation.

Return of Ansprand, 712.

At length the long-delayed day of vengeance dawned for Ansprand. His friend Theudebert, duke of Bavaria, gave him an army, with which he invaded Italy and joined battle with Aripert. There was great slaughter on both sides, but when night fell, 'it is certain,' says the patriotic Paulus, 'that the Bavarians had turned their backs, and the army of Aripert returned victorious to its camp.' However, the Lombard victory does not seem to have been so clear to Aripert, who left the camp, and sought shelter within the walls of Pavia. This timidity gave courage to his enemies, and utterly disgusted his own soldiers. Perceiving that he had lost the affections of the army, he accepted the advice which some of his friends proffered, that he should make his escape into France. Having taken away out of the palace vaults as much gold as he thought he could carry, he set forth on his journey. It was necessary for him to swim across the river Ticino, not a broad nor very rapid stream: but the weight of the gold (which he had perhaps enclosed in a belt worn about his person) dragged him down, and he perished in the waters. Next day his body was found, and buried close to the Church of the Saviour, doubtless near the bodies of his father and grandfather. His brother Gumpert fled to France, and died there,

Death of Aripert II.

leaving three sons, one of whom, Raginpert, was, in the time of Paulus, governor[1] of the important city of Orleans. But no more princes of the Bavarian line reigned in Italy, where, with one slight interruption, they had borne sway for a century.

[1] Possibly Count.

CHAPTER VIII.

STORY OF THE DUCHIES, CONTINUED.

FOLLOWING the course of the chief highway of Lombard history, we have now emerged from the seventh century and have arrived at the threshold of the reign of the greatest, and nearly the last, of the Lombard kings. But before tracing the career of Liutprand, we must turn back to consider the changes which forty years had wrought in the rulers of the subordinate Lombard states, and also in the relations of the Empire and the Papacy.

I. Duchy of Trient.

TRIENT.

Duke Alahis.

Of one turbulent duke of Trient, namely Duke Alahis, we have already heard, and have marked his attempts, his almost successful attempts, to overthrow the sovereigns who ruled at Pavia by the combined exertions of all the cities of the Lombard Austria. Apparently the forces of the Tridentine duchy were exhausted by this effort, for we hear nothing concerning the successors of Alahis in the remaining pages of Paulus Diaconus.

II. Duchy of Friuli.

FRIULI.

The story of the duchy of Friuli, perhaps on account of the historian's own connection with that region, is much more fully told.

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The brave *Wechtari* from Vicenza was succeeded in the duchy by *Landari*, and he by *Rodwald*. These to us are names and nothing more, but Rodwald during his absence from Cividale was ousted from his duchy by a certain *Ansfrit*, an inhabitant (probably a count or *gastald*) of Reunia[1], on the banks of the Tagliamento. Rodwald fled into Istria, and thence by way of Ravenna (evidently at this time there were friendly relations between king and exarch) he made his way to the court of Cunincpert. Ansfrit's invasion of the duchy of Friuli had taken place without the king's sanction, and now, not content with the duchy, he aspired to the crown, and marched westward as far as Verona. There, however, he was defeated, taken prisoner, and sent to the king. According to the barbarous Byzantine fashion of the times, his eyes were blinded and he was sent into exile. For some reason or other, probably on account of his proved incapacity, Rodwald was not restored, but the government of the duchy was vested in his brother *Ado*, who, however, ruled only with the title of Caretaker (*Loci Servator*). After he had governed for nineteen months he died, and was succeeded by *Ferdulf*, who came from Liguria in the West, a stirring chief, but somewhat feather-headed and unstable[2], in whose occupation of the duchy a notable event occurred[3].

Duke Ansfrit.

Ado.

Duke Ferdulf.

The Sclovenic neighbours of Friuli were much given

[1] Now Ragogna, about thirty miles west of Cividale.

[2] 'Homo lubricus et elatus.'

[3] Paulus (H. L. vi. 3 and 24) gives us no date for these transactions. We can only say that the usurpation of Ansfrit occurred during the reign of Cunincpert (688–700). After that all is vague.

His wars with the Sclovenes.

to cattle-lifting excursions across the border, by which the Lombards of the plain suffered severely. Apparently Duke Ferdulf thought that one regular war would be more tolerable than these incessant predatory inroads: or else it was, as Paulus asserts, simply from a vainglorious desire to pose as conqueror of the Sclovenes that he actually invited these barbarians to cross over into his duchy, and bribed certain of their leaders to support the expedition in the councils of the nation [1]. Never was a more insane scheme devised, and the danger of it was increased by Ferdulf's want of prudence and self-control. A certain *sculdahis* [2] or high-bailiff of the king, named Argait, a man of noble birth and great courage and capacity, had pursued the Sclovene depredators after one of their incursions, and had failed to capture them. 'No wonder,' said the hot-tempered duke, 'that you who are called Argait can do no brave deed, but have let those robbers escape you' (*Arga* being the Lombard word for a coward) [3]. Thereat the *sculdahis*, in a tremendous rage at this most unjust accusation, replied, 'If it please God, Duke Ferdulf, thou and I shall not depart this life before it has been seen which of us

Quarrel with Argait.

[1] 'Qui dum victoriae laudem de Sclavis habere cupiit, magna sibi et Forojulanis detrimenta invexit. Is praemia quibusdam Sclavis dedit, ut exercitum Sclavorum in eadem (*sic*) provinciam suâ adhortatione immitterent' (Paulus, H. L. vi. 24).

[2] Called *Sculdhaizo* in the laws of Rothari (see p. 232).

[3] Thus we read in the laws of Rothari (381) that if any one called another *Arga*, and afterwards pleads that he only said it in passion, he must first swear that he does not really know him to be *Arga*, and then for his insulting words must pay a fine of 12 solidi (£7 4s.). If he sticks to it that the other man is *Arga*, the matter must be settled by single combat.

BOOK VII. CH. 8.

two is the greater *Arga*.' Soon after this interchange of vulgar abuse[1] came the tidings that the mighty army of the Sclovenes, whose invasion Ferdulf had so foolishly courted, was even now at hand. They came, probably pouring down through the Predil Pass, under the steep cliffs of the Mangert, and round the buttresses of the inaccessible Terglou. Ferdulf saw them encamped at the top of a mountain, steep and difficult of access, and began to lead his Lombards round its base, that he might turn the position, which he could not scale. But then outspake Argait: 'Remember, Duke Ferdulf, that you called me an idle and useless thing, in the speech of our countrymen an *Arga*[2]. Now may the wrath of God light upon that one of us who shall be last up that mountain, and striking at the Sclaves.' With that he turned his horse's head, and charged up the steep mountain. Stung by his taunts, and determined not to be outdone, Ferdulf followed him all the way up the craggy and pathless places. The army, thinking it shame not to follow its leader, pressed on after them. Thus was the victory given over to the Sclovenes, who had only to roll down stones and tree-trunks[3] on the ascending Lombards, and needed neither arms nor valour to rid them of their foes, nearly all of

[1] 'Haec cum sibi invicem vulgaria verba locuti fuissent' (Paulus, H. L. vi. 24). Yet *vulgaria verba* probably means rather words spoken in the non-Roman, barbaric tongue, than precisely what we understand by 'vulgar.'

[2] 'Memento, dux Ferdulf, quod me esse inertem et inutilem dixeris et *vulgari verbo arga* vocaveris.'

[3] 'Et magis lapidibus ac securibus quam armis contra eos pugnantes.' I take it that 'secures' were used in felling trees to be used as above.

whom were knocked from their horses and perished miserably.

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There fell Ferdulf himself, and Argait, and all the nobles of Friuli; such a mass of brave men as might with forethought and a common purpose have done great things for their country; all sacrificed to foolish pique and an idle quarrel [1].

There was indeed one noble Lombard who escaped, almost by a miracle. This was Munichis, whose two sons, Peter and Ursus, long after were dukes of Friuli and Ceneda respectively. He was thrown from his horse, and one of the Sclovenes came upon him and tied his hands; but he, though thus manacled, contrived to wrest the Sclovene's lance from his right hand, to pierce him with the same, and then, all bound as he was, to scramble down the steep side of the mountain and get away in safety.

Duke Corvolus.

In the room of the slain Ferdulf, a certain *Corvolus* obtained the ducal dignity. Not long, however, did he rule the city of Forum Julii, for, having fallen in some way under the displeasure of the king (apparently Aripert II), he was, according to that monarch's usual custom, deprived of his eyes, and spent the rest of his life in ignominious seclusion. This and several other indications of the same kind clearly show that these northern dukes had not attained nearly the same semi-independent position which had been achieved by their brethren of Spoleto and Benevento.

[1] 'Tantique ibi viri fortes per contentionis malum et improvidentiam debellati sunt, quanti possent per unam concordiam et salubre consilium multa millia sternere aemulorum' (Paulus, H. L. vi. 24). True for many other passages in Lombard history besides this.

Duke Pemmo.

To him succeeded *Pemmo*, and here we seem to reach firmer ground, for this is the father of two well-known kings of the Lombards, and we may yet read in a church of Cividale a contemporary inscription bearing his name. The father of Pemmo was a citizen of Belluno named Billo, who having been engaged in an unsuccessful conspiracy, probably against the duke of his native place, came as an exile to Forum Julii, and spent the remainder of his days as a peaceful inhabitant of that city.

Pemmo himself, who is highly praised by Paulus as a wise and ingenious man, and one who was useful to his fatherland[1], must have risen early to a high position by his ability, for ancestral influence must have been altogether wanting. He probably became duke of Friuli somewhere about 705[2], a few years before the death of Aripert II, and held the office for about six and twenty years. The history of his fall will have to be told in connection with the reign of Liutprand, but meanwhile we may hear the story of his family life, as quaintly told by Paulus[3].

[1] 'Qui fuit homo ingeniosus et utilis patriae' (Paulus, H. L. vi. 26). Of course 'ingeniosus' is not quite accurately translated by 'ingenious.' If the word 'talented' were ever admissible one would like to use it as a translation of 'ingeniosus.'

[2] De Rubeis (p. 319) fixes his accession at this time, I know not on what authority.

[3] Pedigree of Pemmo:—

BILLO
of Belluno.

PEMMO, = RATPERGA.
Duke of Friuli.

RATCHIS, 744–749. | RATCHAIT. | AISTULF, 749–757.



IN THE CHURCH OF ST. MARTIN AT CIVIDALE

Pemmo's domestic relations.

'This Pemmo had a wife named Ratperga, who, as she was of a common and countrified appearance[1], repeatedly begged her husband to put her away and marry another wife whose face should be more worthy of so great a duke.

'But he, being a wise man, said that her manners, her humility, and her shame-faced modesty pleased him more than personal beauty. This wife bore to Pemmo three sons, namely, Ratchis, Ratchait, and Aistulf, all vigorous men, whose careers made glorious their mother's lowliness.

'Moreover, Duke Pemmo, gathering round him the sons of all those nobles who had fallen in the above described war [with the Sclovenes], brought them up on an exact footing of equality with his own children[2].'

King Pemmo's altar-slab.

I have said that a single existing monument preserves the memory of Duke Pemmo in the city over which he bore sway. Leaving the central portion of Cividale behind him, and crossing the beautiful gorge of the Natisone by the Ponte del Diavolo, the traveller comes to a little suburb, of no great interest in itself, and containing a modernised church, the external appearance of which will also probably fail to interest him, the little church of St. Martin. The altar of this church is adorned with a bas-relief in a barbarous style of ecclesiastical art. A rudely carved effigy of Christ between two winged saints (possibly the Virgin and John the Baptist[3]) is surrounded by four angels, whose large hands, twisted bodies, and curiously folded

[1] 'Quae cum esset facie rusticana' (Paulus, H. L. vi. 26).

[2] Ibid.

[3] To the latter of whom the church was originally dedicated.

wings show a steep descent of the sculptor's art from the days of Phidias. Round the four slabs which make up the altar runs an inscription[1], not easy to decipher, which records in barbarous Latin the fact that the illustrious and sublime Pemmo had restored the ruined church of St. John, and enriched it with many gifts, having amongst other things presented it with a cross of fine gold; and that his son Ratchis had adorned the altar with beautifully coloured marbles. Here then, in this little, scarce noticed church, we have a genuine relic of the last days of the Lombard monarchy.

III. Duchy of Benevento.

Our information as to the history of this duchy during the period in question is chiefly of a genealogical kind, and may best be exhibited in the form of a pedigree.

ROMWALD I, son of Grimwald, 662–671 with his father; 671–687 alone. = THEUDERADA, daughter of Lupus of Friuli.

- GRIMWALD II, 687–689, married Wigilinda, daughter of King Perctarit.
- GISULF I, 689–706, married Winiperga.
  - ROMWALD II, 706–730 (?).

[1] The inscription is thus given by Troya (Cod. Dip. Lang. No. DXXXIX), but I am not certain of its accuracy:—

(1) de maXIMA DONA XPI AD CLARIT SVBEIMI CONCESSA PEMMONI VBIQVE DIRVTO

(2) foRMARENTVR VT TEMPLA NAM EI INTER RELIQVAS

(3) solarIVM BEATI JOHANNIS ORNABIT PENDOLA EX AVRO PVLCHRO ALT

(4) ARE DITABIT MARMORIS COLORE RAT. CHIS HIDEBOHRIT.

(It is suggested that this last barbarous word is the name of the *fara* of Pemmo.)

We hear again of the piety of Theuderada, the heroine of the legend of St. Barbatus, and we are told that she built a basilica in honour of St. Peter outside the walls of Benevento, and founded there a convent, in which dwelt many of the 'maids of God.' Her son, *Grimwald II*, married, it will be observed, a daughter of King Perctarit and sister of Cunincpert. Apparently, therefore, the strife between the royal and the ducal line, which was begun by the usurpation of Grimwald, might now be considered as ended.

Duke Grimwald II.

After Grimwald's short reign he was succeeded by a brother, *Gisulf I*, whose name recalled the ancestral connection of his family with Friuli, and their descent from the first Gisulf, the *marpahis* of Alboin.

Duke Gisulf I.

Gisulf's son, *Romwald II*, reigned at the same time as King Liutprand, and his story, with that of his family, will have to be told in connection with that king, whose sister he married.

Duke Romwald II.

Though we hear but little of the course of affairs during these years in the 'Samnite duchy,' it is evident that Lombard power was increasing and the power of the Emperors diminishing in Southern Italy. Romwald I collected a great army with which he marched against Tarentum and Brundisium, and took those cities. 'The whole of the wide region round them was made subject to his sway [1].' This probably means that the whole of the Terra di Otranto, the vulnerable heel of Italy, passed under Lombard rule [2].

Conquest of Tarentum by Romwald I.

[1] 'Parique modo Brundisium et omnem illam quae in circuitu est latissimam regionem suae dicioni subjugavit' (Paulus, H. L. vi. 1).

[[2] We must probably except Otranto itself, which seems to have remained Imperial, as stated on p. 517.]

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Certainly the ill-judged expedition of Constans was well avenged by the young Lombard chief whom he thought to crush.

Romwald's son, Gisulf, pushed the border of his duchy up to the river Liris, wresting from the *Ducatus Romae* the towns of Sora, Arpinum[1], and Arx. It is interesting to observe that in our own day the frontier line between the States of the Church (representing the *Ducatus Romae*) and the kingdom of Naples (representing the duchy of Benevento) was so drawn as just to exclude from the former Sora, Arpino, and Rocca d'Arce.

Invasion of Campania by Gisulf I.

It was during the pontificate of John VI (701–705), and possibly at the same time that these conquests were made, that Gisulf invaded Campania with a large force, burning and plundering; and arriving at the great granary of Puteoli[2], pitched his camp there, no man resisting him. By this time he had taken an enormous number of captives, but the Pope sending some priests to him 'with apostolic gifts,' ransomed the captives out of his hands, and persuaded Gisulf himself to return without further ravages to his own land.

SPOLETO.

IV. Duchy of Spoleto.

Here, too, we have little more than the materials for a pedigree, as the remarkable denudation of historical materials which was previously noticed[3] still continues.

[1] Paulus calls it Hirpinum (H. L. vi. 27).

[2] The remarks of Beloch in his 'Campanien,' p. 137, makes me think that 'locum qui dicitur Horrea' must = Puteoli.

[3] See p. 96.

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Transamund, Grimwald's ally, becomes Duke of Spoleto, 663 (?).

It will be remembered that Grimwald of Benevento, in his audacious and successful attempt on the Lombard crown (661), was powerfully aided by Transamund, Count of Capua, whom he ordered to march by way of Spoleto and Tuscany to collect adherents to his cause, and that soon after his acquisition of sovereign power, he rewarded this faithful ally by bestowing on him the duchy of Spoleto, and the hand of one of his daughters.

TRANSAMUND I,
previously Count
of Capua,
663 (?)–703 (?).
Married a daughter
of King Grimwald.

WACHILAPUS.

FARWALD II,
703 (?)–724.

TRANSAMUND II,
724–739,
and 740–742.

Duke Farwald II.

Transamund appears to have reigned for forty years (663–703)[1]. He was succeeded by his son *Farwald II*, evidently named after the famous Duke Farwald of an earlier day, the founder of the duchy, and the conqueror of Classis. Notwithstanding the long reign of Transamund, his son appears to have been young at his accession, and his uncle *Wachilapus* was associated with him in the dukedom[2].

[1] These are the dates assigned by Bethmann (Neues Archiv, iii. 238 and 243), and accepted by Waitz. A donation of Farwald II in the Regesto di Farfa (ii. 22) is assigned by the editors to 705.

[2] 'Igitur defuncto Transamundi duce Spolitanorum Farualdus, ejus filius, in loco patris est subrogatus. Denique Wachilapus germanus fuit Transamundi et cum fratre pariter eundem rexit

The story of Farwald II, and his turbulent son *Transamund II*, will be related when we come to deal with the reign of Liutprand.

ducatum' (Paulus, H. L. vi. 30). One is inclined to think either that Transamundi is a mistake for Faroaldi, or that we should read for 'fratre' 'fratris filio' (the view adopted in the text).

CHAPTER IX.

THE PAPACY AND THE EMPIRE, 663–717.

Authorities.

Sources:—

The LIBER PONTIFICALIS becomes here a first-rate authority. It is curious to compare the copious lives of Sergius and Constantine with the excessively meagre notice of Gregory I a century earlier. Duchesne, in his introduction to the L. P., p. ccxxxiii, while not expressing a decided opinion, seems to consider the lives after 625 as the work of nearly, if not quite, contemporary authors.

THEOPHANES (758–818), and NICEPHORUS (758–828). The character and literary quality of both historians will be discussed in a future chapter.

Guides:—

B. Malfatti:—'Imperatori e Papi' (Pisa, 1876).

R. Baxmann:—'Die Politik der Päpste von Gregor I bis auf Gregor VII' (Elberfeld, 1868).

Visit of Constans to Rome (663), the lowest point of Roman degradation.

FROM the day when Constans entered Rome on his mission of devout spoliation, the fortunes of the Papacy were so closely linked, at least for a couple of generations, with those of the Empire, that we may without inconvenience consider them together. That visit of the Emperor may be considered to have been the lowest point of the humiliation both of the Bishop and the City of Rome. Vigilius and Martin had been

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CH. 9.

Lombard Kings.	Emperors.		Popes.	
Grimwald, 662–671.	Constantine Pogonatus	668–685	Vitalian	657–672
Perctarit, 672–688.			Adeodatus	672–676
			Donus	676–678
Cunincpert, 688–700.			Agatho	678–681
			Leo II	682–683
			Benedict II	684–685
	Justinian II	685–695	John V	685–686
			Conon	686–687
	Leontius	695–698	Sergius	687–701
Aripert II, 700–712.	Tiberius III	698–705	John VI	701–705
	Justinian II (restored)	705–711	John VII	705–707
			Sisinnius	708
Ansprand, 712.	Philippicus	711–713	Constantine	708–715
Liutprand, 712–744.	Anastasius II	713–715		
	Theodosius III	715–717	Gregory II	715–731
	Leo III (the Isaurian)	717–740	Gregory III	731–741

indeed dragged away from their episcopal palace and their loyal flock, and had suffered indignities and hardships in the city by the Bosphorus; but it was surely a lower depth of degradation to stand by, as Vitalian must needs do in trembling submission, with a smile of feigned welcome on his lips, while Constans the heretic, the author of the *Type* against which the Lateran Synod had indignantly protested, alternated his visits to the basilicas with his spoliation of the monuments of Rome. It may well have been at such a time as this that some Roman noble poured forth his feelings of indignation in a short poem which was found by the industrious Muratori in the library of the Dean and Chapter of Modena, and which may be thus translated [1]:—

Poem on the abasement of Rome.

'Rome! thou wast reared by noble hands and brave,
But downward now thou fall'st, of slaves the slave,
No king within thee hath for long borne sway;
Thy name, thy glory are the Grecians' prey.
None of thy nobles in thy courts remains,
Thy free-born offspring till the Argive plains.
Drawn from the world's ends is thy vulgar crowd,
To servants' servants now thy head is bowed.
"The New Rome"—such Byzantium's name to-day,
While thou, the old Rome, seest thy walls decay.
Well said the seer, pondering his mystic lore,
Rome's love shall fail, she shall be Rome no more.
But for the Great Apostles' guardian might,
Thou long ago hadst sunk in endless night.'

[1] This Epigram, as it is called, is given by Muratori (Ant. Med. Aevi, ii. 147) and by Troya (Cod. Dip. Long. No. L), and is as follows:—

'Nobilibus fueras quondam constructa patronis,
Subdita nunc servis. Heu male, Roma, ruis!
Deseruere tui tanto de tempore Reges;
Cessit et ad Graecos nomen honosque tuum.

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Tendency towards freedom from the Byzantine yoke.

However, from this time forward there was a steady progress on the part of the people of old Rome towards independence of their Byzantine rulers, and in this successful struggle for freedom the Popes were the more or less avowed and conscious protagonists. The day was passing away in which it was possible for the Eastern Caesar to send a policeman to arrest the Pope and drag him off to a Byzantine prison. We shall see one Exarch after another attempt this invidious duty in obedience to his master's mandate, and one after another will fall back disheartened before the manifestations of the popular will, which in the end will take the shape of an armed and organised National Guard.

In te nobilium Rectorum nemo remansit
  Ingenuique tui rura Pelasga colunt,
Vulgus ab extremis distractum partibus orbis,
  Servorum servi nunc tibi sunt domini.
Constantinopolis florens nova Roma vocatur:
  Moenibus et muris, Roma vetusta, cadis.
Hoc cantans prisco praedixit carmine vates,
  Roma tibi subito motibus ibit Amor.
Non si te Petri meritum Paulique foveret
  Tempore jam longo Roma misella fores?
Mancipibus subjecta jacens jacularis iniquis,
  Inclyta quae fueras nobilitate nitens,' &c.

There are some more lines, which Muratori was unable to decipher. The 'Servorum servi' in line 8 is understood by Muratori and Troya to apply to the Greeks, and if so it is only a repetition of l. 2. I am inclined to think with Gregorovius that there is at least an allusion to the title 'Servus Servorum Dei' assumed by the Pope. The twelfth line is what is called 'recurrens,' and is the same whichever end it is read from. This is, of course, untranslateable, but I have just hinted at the word-play by placing at the end of the line a word which is an anagram of Rome. The last two lines are a mere repetition of the preceding, and I therefore omit them in the translation.

This result is the more remarkable, as the Popes who presided over the Church during the period in question were for the most part undistinguished men, generally advanced in years—this must have been the cause of their very short average tenure of the see—and with so little that was striking in their characters that even the Papal chronicler can find scarcely anything to say of them except that they 'loved the clergy and people,' or 'gave a large donation[1] to the ecclesiastics and to the poor.' In order not to burden the text with a multitude of names which no memory will wisely retain, I refer the reader for the Popes of the seventh century to a list at the end of this chapter[2], and will mention here only those who took a leading part in the development of doctrine and the struggle with the Emperors.

Pope Agatho, 678-681.

A Sicilian ecclesiastic named Agatho, who occupied the chair of St. Peter for two years and a half (678–681), had the glory of winning a great ecclesiastical victory, and of settling the Monotheletic controversy on the terms for which Martin and all the Popes since Honorius had strenuously contended.

Constantine Pogonatus, Emperor, 668-685.

The young Emperor Constantine IV, whom we last met with in Sicily avenging his father's murder[3], and who received the surname Pogonatus (bearded) from the populace of Constantinople, astonished to see their young lord returning to his home with the bushy beard of manhood, was occupied in the early years of his reign by matters too weighty to allow of his spending his time in theological controversy. For five years, as has been already said[4], the great Saracen Armada

673-677.

[1] 'roga.'

[2] See Note C, p. 387.

[3] See p. 282.

[4] See p. 15.

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hovered round the coasts of the Sea of Marmora, and the turbans of the followers of the Prophet were descried on the Bithynian shore by the defenders of Constantinople. Delivered from that pressing danger, the Emperor had leisure to consider the unhappy condition of the Church, distracted by that verbal disputation concerning the will of the Saviour for which his grandfather had unhappily given the signal. Constantine Pogonatus appears to have taken personally no decided line in this controversy, but to have been honestly anxious that the Church should decide it for herself. Four successive Patriarchs of Constantinople, generally supported by the Patriarchs of Antioch and Alexandria, had upheld Monothelete doctrine, and struggled for the phrase 'one theandric energy.' But the ecclesiastics of Constantinople probably saw that the mind of the Emperor was wavering, and that the whole West was united under the generalship of the Pope in a solid phalanx against them. It was understood that George, the new Patriarch of Constantinople, was willing to recede from the Monothelete position, and the Emperor accordingly issued an invitation to the Pope to send deputies to take part in a Conference for the restoration of peace to the Church. Pope Agatho before replying (27th March, 680) summoned a synod of Western bishops in which Monotheletism was unhesitatingly condemned, the voice of the young Church of the Anglo-Saxons, as represented by Wilfrid of York and others, being one of the loudest in defence of the two wills of Christ. Agatho thereupon despatched three legates of his own, and three bishops as representatives of that synod, to take part in the proceedings of the Conference, which

Sixth General Council (Third of Constantinople), 680-681.

gradually assumed a more august character, and became, not a mere Conference, but the Sixth Ecumenical Council, the third of its kind held at Constantinople[1].

At this Council, which was held in a domed chamber of the Imperial palace, and which was therefore sometimes called *In Trullo*, 289 bishops are said to have been present, and the sittings of the Council lasted from 7th November, 680, to 16th September, 681. On the left of the Emperor sat the bishops of the West, and on his right the Patriarchs of Constantinople and Antioch and the bishops of the East. It was soon seen which way the decision of the Council would tend. Pope Agatho's legates complained of the novel teaching of the Monothelete Patriarchs of the East. Macarius, Patriarch of Antioch, the Abdiel of Monotheletism, upon whom fell the burden of the defence of the lately dominant doctrines, undertook to prove that the dogma of 'one theandric energy' was in harmony with the decisions of the Fourth and Fifth Councils, and with the teaching of Popes Leo and Vigilius. The genuineness of some of his quotations was denied, the aptness of others was disputed. George, Patriarch of Constantinople, formally announced his adhesion to the cause advocated by the Roman Pontiff. An enthusiastic priest named Polychronius, who undertook to prove the truth of Monothelete doctrine by raising a dead man to life, whispered in the ear of the corpse in vain. At length all was ready for the definition of the faith as to the Two Wills of Christ; the ratification of the decrees of Pope Agatho and the Western Synod; the deposition of Macarius, Patriarch of Antioch, from his

[1] See Duchesne's Notes 3 and 4 on the Vita Agathonis in the Liber Pontificalis (p. 355).

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high office, and the formal anathema on the dead and buried upholders or condoners of Monotheletic heresy.

681. Monotheletism condemned.

Among these condemned ones were included four Patriarchs of Constantinople [1], one Patriarch of Alexandria [2], Theodore, bishop of Pharan, and—most memorable fact of all—a man too wise and tolerant for his age, Honorius, Pope of Rome.

At this crisis of the Church's deliberations, the Liber Pontificalis tells us that 'so great a mass of black spiders' webs fell into the midst of the people that all men marvelled, because at the same hour the filth of heresy had been expelled from the Church.' To the minds of men of the present day the incident would seem not so much an emblem of the extirpation of heresy, as of the nature of the dusty subtleties which seventh-century ecclesiastics, both orthodox and heterodox, were occupied in weaving out of their own narrow intellects and presumptuous souls.

Death of Pope Agatho.

Though Pope Agatho probably heard enough concerning the opening deliberations of the Sixth Council to be assured of the final triumph of his cause, he died many months before the actual decision, and the news of the triumph itself must have reached Rome during the long interval [3] which elapsed between his death and the consecration of his successor. The relations between Rome and Constantinople continued friendly during the rest of the lifetime of Pogonatus; and Pope Benedict II (684–685) received, so it is said [4], a letter from the Emperor dispensing for the future with the necessity of that Imperial confirmation for which the elected pontiff had hitherto been forced to wait before

Pope Leo II, 682–683.

Pope Benedict II, 684–685.

[1] Sergius, Pyrrhus, Peter, Paul.

[2] Cyrus.

[3] More than nineteen months.

[4] Liber Pontificalis.

his consecration could be solemnized. If such a letter, however, were actually sent, the concession seems to have been silently revoked in the following reign.

Portrait of Constantine Pogonatus at Ravenna.

Of Constantine Pogonatus, who died in 685, we may still behold the contemporary portrait in mosaic on the walls of the solitary church of S. Apollinare in Classe. There he stands, with his two young brethren Heraclius and Tiberius beside him, and hands to Reparatus, the venerable Archbishop of Ravenna, a document marked PRIVILEGIVM. This document was probably meant to confer on the prelates of Ravenna, not entire independence of the Roman See, but the same kind of independence and patriarchal jurisdiction which was enjoyed by the bishops of Milan and Aquileia [1]. It was originally given by Constans near the close of his reign, and was possibly afterward confirmed by Pogonatus and his colleagues [2].

The figures of the two stripling colleagues of the

[1] See Duchesne's note, Liber Pontificalis, i. 349.

[2] From the middle of the seventh century onwards there seems to have been an intermittent strife on this point between the archbishops of Ravenna and the Popes. In his life of Archbishop Maurus (642–671), Agnellus says, 'This pontiff had many vexations with the Roman pontiff, many contests, many worries, many altercations. Several times he visited Constantinople, that he might free his Church from the yoke of the Romans. And so it was done, and the Church of Ravenna was withdrawn [from that yoke], so that no future pastor of that Church need thenceforward go to Rome to seek consecration, nor should he be thenceforward under the rule of the Roman pontiff; but when elected, should be consecrated here by three of his own bishops, and should receive the *pallium* from the Emperor at Constantinople.' These provisions, as the editor of Agnellus in the M. G. H. has pointed out, are probably taken from the Privilegium of Constans, dated 'Syracuse, 1 March, 25th year of Constantine the elder' [Constans]: a date equivalent to 666.

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Constantine and his brothers.

Emperor, Heraclius and Tiberius, suggest some melancholy thoughts as to their fate, thoughts only too much in keeping with the mournful expression so common in these venerable mosaics. Shortly after the accession of Pogonatus, in the year 669, they were declared Augusti, in obedience to the clamours of the soldiers of the Eastern Theme, who flocked to Scutari shouting, 'We believe in the Trinity. We will have three Emperors[1].' A great noble was sent to appease the mutineers, and to profess compliance with their demands. Through him Constantine invited the leaders in the movement to a friendly conference with the Senate at Constantinople, and when he had these leaders in his power he transported them to Sycae (the modern Pera) and hung them there. The two unfortunate and perhaps unwilling claimants for the Imperial dignity had their noses slit by their jealous brother, and were immured within the palace walls for the remainder of their lives. Such was the manner of man by whose nod deep questions concerning the nature of the Godhead were then decided.

Sons of Constantine.

Pogonatus himself had two sons, Justinian and Heraclius; and it was a mark of his friendly feeling towards the Pope that in the last year of his reign he sent some locks of their hair as a present to Rome, and this valuable offering, accompanied by an Imperial letter, was received with all fitting reverence by the Pope, the clergy, and the 'army' of Rome[2].

[1] Theophanes, Anno Mundi 6161.

[2] 'Hic [Benedictus II] una cum clero et exercitu suscepit mallones capillorum domini Justiniani et Heraclii filiorum clementissimi principis, simul et jussionem per quam significat eosdem capillos direxisse' (Lib. Pont. in vitâ Benedicti II). 'Mallo' = the Greek μάλλιον, is a late Latin word for a curl or lock of hair.

Justinian II, Emperor, 685–696, and 705–711.

Of the younger of these two princes, Heraclius [1], we hear nothing: perhaps he, too, like his uncles, passed his life confined within the precincts of that palace which has witnessed so many tragedies. But Justinian II, who succeeded his father in 685 and in whom the dynasty of Heraclius expired, was a man who left a bloody and ineffaceable imprint on the pages of Byzantine history. He was in all things almost the exact opposite of the great legislator whose name he bore. Justinian I was timid, cautious, and calculating. The second of that name was personally brave, but rash, and a blunderer. The first had apparently no temptation to be cruel, and carried his clemency almost to excess. The second was, at any rate in later life, and after opposition had embittered him, as savage and as brutal as an Ashantee king or a bullying schoolboy, a tiger such as Nero without Nero's artistic refinement. Lastly, Justinian I was exceptionally fortunate or extraordinarily wise in his selection of generals and counsellors. His namesake seems to have suffered, not only for his own sins, but for the grievous faults and errors committed by the ministers to whom he gave his confidence [2].

Death of Benedict II. John V, 685–686. Disputed Papal election, 686.

In the year of the young Emperor's accession Pope Benedict II died, and after the short pontificate of John V there was a contest as to the choice of his successor, the clergy desiring to elect the 'Archpresbyter' Peter, and the army favouring the claims

[1] His name is not mentioned by Theophanes. On the whole it seems most probable that he died before his father.

[2] This is Prof. Bury's opinion (ii. 320). He thinks (ii. 330) that Justinian II in some things consciously imitated his namesake, but failed all the more conspicuously in consequence of that imitation.

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of a certain Theodore, who came next to him on the roll of presbyters[1]. This statement, that the army took such a prominent part in the Papal election, strikes us as something new in Roman politics, and taken in conjunction with the events which will shortly be related, perhaps points to the formation of a local force for the defence of the City, something like what in after-ages would be called a body of militia.

Election of Conon.

In this case the clergy had to meet outside the gates of the great Lateran church[2], as the army kept guard at the doors and would not suffer them to enter. The military leaders themselves were assembled in the quaint circular church of St. Stephen. Messengers passed backwards and forwards between the parties, but neither would give way to the other, and the election seemed to be in a state of hopeless deadlock. At length the chief of the clergy met, not in the Lateran church, but in the Lateran palace[3], and unanimously elected an old and venerable Sicilian priest named Conon to the vacant office. When the old man with his white hairs and angelic aspect was brought forth to the people, the civil magnates of the City[4], many of whom probably knew the calm and unworldly life which the simple-hearted old man had led, gladly acclaimed him as Pope. So, too, did the leaders of the army, in whose eyes the fact that

[1] 'In cujus electione dum ad episcopatum quaereretur, non minima contentio facta est, eo quod clerus in Petrum archipresbyterum intendebat, exercitus autem in sequentum ejus Theodorum presbyterum' (Lib. Pont. in Vitâ Cononis).

[2] Basilicae Constantinianae.

[3] In episcopio Lateranensi.

[4] 'E vestigio autem omnes judices unâ cum primatibus exercitus . . . simul acclamaverunt.'

Conon was himself a soldier's son [1] may possibly have been some recommendation of his merits. It took some time before the rank and file of the army would abandon the cause of their candidate Theodore, but at length they too came in, and submissively greeted the new Pope, whose unanimous election was, according to the custom of that time, announced by a special mission from all the three orders [2] to the court of the Exarch Theodore [3].

Death of Conon, Sept. 21, 687.

The election of Conon had been a politic expedient for allaying domestic strife, but he was so old and in such weak health that he could scarcely officiate at the necessary ordination of priests, and after only eleven months' pontificate he died.

Another disputed election.

Again there were rival candidates and a contested election, before the long and memorable pontificate of Sergius could be begun. The Archdeacon Paschal had already, during Conon's lifetime, been intriguing with the new Exarch John Platyn in order to obtain by bribery the succession to the Papal Chair. He had a large party favouring his claims, but Theodore, now Arch-presbyter, had also still his zealous supporters among the people. The army does not appear to

[1] The Liber Pontificalis says that Conon was 'oriundus patre Thracesio.' Duchesne truly observes that this does not mean that he was born in Thrace, but son of an officer in the 'Thracesian troop' which is mentioned by Theophanes (Anno Mundi 6203).

[2] Clergy, army, people.

[3] 'Videns autem exercitus unanimitatem cleri populique in decreto ejus subscribentium, post aliquod (*sic*) dies et ipsi flexi sunt et consenserunt in personâ praedicti sanctissimi viri, atque in ejus decreto devotâ mente subscripserunt et missos pariter unâ cum clericis et ex populo ad excellentissimum Theodorum exarchum, ut mos est, direxerunt' (Lib. Pont. l. c.).

have conspicuously favoured one candidate more than another. The Lateran palace itself was divided into two hostile fortresses, the outer portion being garrisoned by the adherents of Paschal [1], the inner by those of Theodore. Neither party would yield to the other: clergy, soldiers, and a great multitude of the people flocked to the Lateran palace, and debated with loud and anxious voices what should be done. At length the expedient of a third candidate was again proposed, and obtained the concurrence of the vast majority. The person proposed was Sergius, a man of Syrian descent, whose father Tiberius had apparently emigrated from his native Antioch in consequence of the Saracen conquest, and had settled at Palermo in Sicily. The young Sergius, who came to Rome about the year 672, was a clever and industrious musician, and sang his way up through the lower orders of the Church, till in 683 he was ordained presbyter of the *titulus* (parish church) of St. Susanna, where he distinguished himself by the diligence with which he celebrated mass at the graves of the various martyrs. He was now presented to the multitude, and greeted with hearty acclamations. His followers being much the stronger party, battered down the gates of the Lateran palace, and the two candidates stood in the presence of their successful rival. The Arch-presbyter Theodore at once submitted, and gave the kiss of peace to the new Pope: but Paschal stood

Election of Sergius.

[1] 'Paschalis vero exteriorem partem ab oratorio sancti Silvestri et basilicam domus Juliae quae super campum respicit occupavit' (Lib. Pont., Vitâ Sergii). All these interesting vestiges of the early Popedom seem to have been swept away in the ruthless reconstruction of the Lateran by Sixtus V.

aloof, in sullen hardness, till at length constrained and confused, he entered the hall of audience, and with his will, or against his will, saluted his new lord[1].

Intrigues of the defeated candidate Paschal with the Exarch.

Paschal, however, though outwardly submissive, in his heart rebelled against the Syrian Pope, and continuing his intrigues with Ravenna, sent to the Exarch, promising him 100 lbs. of gold (£4000) if he would seat him in the Papal chair. On this John Platyn came to Rome, accompanied by the officers of his court, but not apparently at the head of an army. He came so suddenly and so quietly, that the Roman soldiery could not go forth to meet him with flags and eagles according to the usual custom when the Emperor's representative visited Rome[2]. Finding on his arrival that all orders of men concurred in the election of Sergius, he abandoned the cause of his client Paschal, but insisted that the promised 100 lbs. of gold should be paid him by the successful candidate. Sergius naturally answered that he had never promised any such sum, nor could he at the moment pay it: but he brought forth the sacred chalices and

[1] 'Unus e duobus electis, id est Theodorus archipresbyter, ilico quievit ac se humiliavit: et ingressus denominatum sanctissimum electum salutavit ac osculatus est. Paschalis vero ullo modo prae cordis duritiâ sinebat, donec coactus et confusus, volens nolens, suum dominum et electum ingressus salutavit' (Lib. Pont., l. c.).

[2] 'Qui sic abditè venit ut nec signa nec banda cum militiâ Romani exercitus occurrissent ei juxta consuetudinem in competenti loco nisi a propinquo Romanae civitatis' (Lib. Pont., l. c.). The meaning of the last clause is not quite clear to me. [Is it not the meaning that they usually marched out some distance to meet the Exarch, but on this occasion were so taken by surprise that they could not meet him except close to the City? Is not this borne out by the phrase *in competenti loco*? The place where they met him was so near that it was not a *becoming* place in which to meet the Exarch. *Nisi* = *but only*. Note by J. Westlake Q. C.]

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crowns which had hung for centuries before the tomb of St. Peter, and offered to deposit them as security for the ultimate payment of the required sum[1]. The beholders were shocked at the duresse thus laid upon the Church, but the stern Byzantine persisted in his demand: the 100 lbs. of gold were somehow gathered together, the Imperial sanction to the election was given by the Exarch, and Sergius became Pope.

As for his rival Paschal, he after some time was accused of practising strange rites of divination, was found guilty[2], deposed from his office of archdeacon, and thrust into a monastery, where, after five years of enforced seclusion, he died, still impenitent.

Pontificate of Sergius, 687–701.

The new Pope, who held his office for fourteen years (687–701), was a younger man, and probably of stronger fibre, than some of his recent predecessors; and well it was for the Roman See that a strong man filled the chair of St. Peter, for another conflict with the self-willed Caesars of Byzantium was now to take place.

Quinisextan Council, 691.

In the year 691 Justinian II convened another Council, not this time for the definition of doctrine, but for the reformation of discipline. The reason for so much zeal on the Emperor's part for the purification of the Church morals is not very apparent: but it has been suggested[3] that it was part of the younger

[1] 'Et ut ad compunctionem animos videntium commoveret, cantaros et coronas qui (*sic*) ante sacrum altare et confessionem B. Petri Apostoli ex antiquo pendebant deponi fecit et pignori tradi' (Lib. Pont. in Vitâ Sergii).

[2] 'Praedictus Paschalis . . . ab officio archidiaconatus pro aliquas (*sic*) incantationes et luculos quos colebat, vel sortes quas cum aliis respectoribus tractabat . . . privatus est.' *Luculus* = a bier, and *respector* apparently = *aruspex*, but they are both puzzling words, and Duchesne, the editor of the Lib. Pont., gives them up as hopeless.

[3] By Prof. Bury, ii. 330.

Justinian's audacious attempt to rival the fame of his great namesake. On the part of the Eastern bishops who formed the overwhelming majority of the Council, there was perhaps a desire to retrieve in some measure the undoubted victory which the West had gained in the condemnation of Monotheletism, by showing that the East, unaided, could do something to reform the discipline of the Church[1]. The assembly, which was meant as a sort of supplement to the two preceding Councils, received the grotesque name of the Quinisextan (fifth-sixth) Council, but is more often known as the Council of the Domed Hall (*in Trullo*), a name which was derived from its place of meeting, but which applied to its immediate predecessor as much as to itself.

The canons of this Council, 102 in number, touched, as has been said, on no point of doctrine, but were entirely concerned with matters of Church discipline, such as the punishment of ecclesiastics who played at dice, took part in the dances of the theatre, kept houses of ill-fame, lent money on usury, or without sufficient cause were absent from church on three consecutive Sundays. They showed, however (as might perhaps have been expected from the almost exclusively Oriental character of the Council), a disregard of Western usage, and of the claims of the See of Rome, which almost amounted to intentional discourtesy. By inference, if not directly, they pronounced against the Papal decision with reference to the second baptism of those who had been baptized by heretics in

[1] This idea is suggested by Malfatti (Imperatori e Papi, p. 238), but I do not know that any contemporary authority can be produced in proof of it.

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the Triune Name. They expressly condemned the strict Roman usage as to married presbyters, and they denounced the custom of fasting on Saturday in Lent, which had long prevailed in the Roman Church[1]. And in a very emphatic manner the thirty-sixth canon renewed the decrees of the Second and Fourth Councils, declaring 'that the patriarchal throne of Constantinople should enjoy the same privileges as that of Old Rome, should in all ecclesiastical matters be entitled to the same pre-eminence, and should count as second after it.' The third place was assigned to Alexandria, the fourth to Antioch, and the fifth to Jerusalem. The decrees of this Council received the signature of the Emperor, and of the great Patriarchs of the East, but the blank which was left after the Emperor's name for the signature of the Roman pontiff was never filled up[2], nor has the Council *in Trullo* ever been unreservedly accepted by the Latin Church. In fact, the leaning shown by it towards toleration of a married clergy is at this day one of the points in which the 'Orthodox' (Greek) differs from the 'Catholic' (Latin) Church.

The Pope refuses to sign the decrees of the Council.

When the six volumes containing the decrees of the Quinisextan Council reached Rome[3], the Pope not only refused to sign them, but forbade their publica-

[1] Assemanni (Bibliotheca Juris Orientalis, i. 121) says that the Synod *in Trullo* made many other objectionable additions to Church law. These seem to have been chiefly the prohibition of eating things strangled and blood, and of the representation of Christ under the figure of a lamb.

[2] There seems to be some doubt of the correctness of the assertion in the Liber Pontificalis that the Pope's Legates were present at the Council, and signed owing to a misunderstanding of the purport of the decrees.

[3] 'Missis in lucello quod scevrocarnali vocitatur' (Lib. Pont. in Vita Sergii): strange and dark words.

tion in the churches. Thereupon Justinian in high wrath sent a messenger[1] with orders to punish the Pope's councillors for disobedience to the Imperial edict. The holy man John, bishop of Portus[2], and Boniface, a *Consiliarius* of the Apostolic See, both of whom had probably made themselves conspicuous by their opposition to the Council, were carried off to Constantinople, where we lose sight of them.

Attempted arrest of Sergius.

It remained only to punish the chief offender, and to drag Sergius, as Martin had been dragged away, to buffetings and hardships in prisons by the Bosphorus. With this intent Justinian sent a huge life-guardsman[3] named Zacharias to Rome. But as he passed through Ravenna, and there, no doubt, disclosed the purport of his mission, the inhabitants of that city (already perhaps inflamed with wrath against their tyrannical and high-handed sovereign) angrily discussed the meditated outrage on the head of the Roman Church. The 'army of Ravenna'—evidently now a local force, and not a band of Byzantine mercenaries—caught the flame, and determined to march to Rome. The soldiers of the Pentapolis[4] and the surrounding districts took part eagerly in the holy war: there was but one purpose in all hearts—'We will not suffer the Pontiff of the Apostolic See to be carried to Constantinople.' Thus, when the life-guardsman Zacharias, accompanied probably by a

[1] 'Magisterianum.'

[2] 'Joannem Deo amabilem Portuensem episcopum.'

[3] 'Immanem protospatharium.' Possibly 'immanem' means fierce rather than big, but the rest of the story does [illegible] Zacharias as a very truculent person.

[4] Ancona and four neighbouring cities.

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slender retinue, reached Rome, it was not to inspire fear, but to feel it. The throng of soldiers surged round the City walls. He ordered the gates to be closed, and trembling, sought the Pontiff's bedchamber, beseeching him with tears to shield him from harm. The closing of the City gates only increased the fury of the soldiery. They battered down the gate of St. Peter, and rushed tumultuously to the Lateran, demanding to see Pope Sergius, who, it was rumoured, had been carried off like Martin by night, and hurried on board the Byzantine vessel. The upper and lower gates of the Pope's palace were closed[1], and the mob shouted that they should be levelled with the ground unless they were promptly opened. Nearly mad with terror, the unhappy life-guardsman hid his huge bulk under the Pope's bed, but Sergius soothed his fears, declaring that no harm should happen to him. Then the Pope went forth, and taking his seat in a balcony outside the Lateran, he presented himself to the people. They received him with shouts of applause: he addressed them with wise and fitting words, and calmed their tumultuous rage. But though calm, they were still resolute; and they persisted in keeping guard at the Lateran till the hated Zacharias, with every mark of ignominy and insult, had been expelled from the City. So the affair ended. Justinian II, as we shall soon see, was in no position to avenge his outraged authority. The Imperial majesty had received its heaviest blow, and the successor of St. Peter had made his longest stride towards independent sovereignty.

[1] 'Dumque fores Patriarchii tam inferiores quam superiores essent clausae' (Lib. Pont. in Vitâ Sergii).

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Council of Aquileia. Three Chapters controversy closed.

The only other notable event in the long pontificate of Sergius was a Council which towards its close, and doubtless by his authority, was held at Aquileia to terminate the controversy of the Three Chapters. This Council (of which we have very little further information) was thus the counterpart, in Eastern Italy, of that which has been already described as held at Pavia by order of King Cunincpert[1].

Unpopularity of Justinian II.

Meanwhile, the Emperor was wearing out the patience of his subjects by his exactions and his cruelties. Possibly (as has been already hinted) in the first part of his reign, the blame of his unpopularity should be assigned, not so much to himself as to his ministers. Of these there were two named Stephen and Theodotus, especially odious to the people. Stephen was a Persian eunuch, who was appointed Imperial Treasurer, and distinguished himself by his zeal in raising money for that extravagant palace building, which was the passion of the two Justinians, as it has been the passion of so many later lords of Constantinople. Either because she thwarted his financial schemes, or for some other reason, the Emperor's own mother, Anastasia, incurred the eunuch's displeasure, and he had the audacity to order her to be publicly chastised like a refractory schoolboy[2]. Theodotus was a monk, who had previously led the life of a recluse in Thrace, but was now made a logothete,

[1] See vol. v. p. 483.

[2] Ἄχρι καὶ εἰς τὴν μητέρα Ἰουστινιανοῦ τὴν τόλμαν ἐξήνεγκε, μάστιγας αὐτῇ ἐν σχήματι ὥσπερ τοὺς παῖδας οἱ γραμματισταὶ ἐπιθέμενος (Nicephorus, De Reb. post Maur. Gestis, 42). Theophanes (A.M. 6186) also mentions this punishment of the Empress Dowager, and shows that it was not only apparent, as the words ἐν σχήματι might lead us to suppose, but a genuine whipping with leather thongs—δι' ἀβηνῶν.

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apparently chief of the logothetes[1], and gave full scope to his imagination, no longer in devising the self-tortures of a rigid anchorite, but in planning the torture of others. Men were hung up by their wrists to high-stretched ropes, and then straw was kindled under their feet; and other punishments, which are not particularly specified, but which we are told were intolerable, were inflicted on some of the most illustrious subjects of the Emperor.

Proclamation of Leontius, 695.

At length, after ten years of this misgovernment, the day of vengeance dawned. A certain nobleman from the highlands of Isauria, named Leontius, who had long and successfully commanded the armies of the East, had been for some cause or other detained in prison for three years by the Emperor. Then, changing his mind, the capricious tyrant decided to make him governor of Greece[2], but ordered him to depart for his new province on the morrow of his liberation from prison. That same night he was visited by two monks, Paul and Gregory, who had, it would seem, formerly prophesied to him that he should one day wear the diadem. 'Vain were all your prognostications to me of future greatness,' said the melancholy man, 'for now I go forth from the city, and soon my life will have a bitter end.' 'Not so,' replied the monks; 'even now, if you have courage for the enterprise, you shall win the supreme power.' He listened to their counsels, hastily armed some of his servants, and went to the palace. The plea being put forward of urgent business with the Emperor, the prefect of

[1] τῶν δημοσίων λογιστὴν ὃν τὸ δημῶδες λογοθέτην καλοῦσι καθίστησιν (Niceph. p. 42).

[2] στρατηγὸν τῆς Ἑλλάδος (Niceph. p. 43).

the palace opened the door, and at once found himself bound hand and foot. Leontius and his men swarmed through the palace, opening the prison doors to all the numerous victims of Imperial tyranny who were there confined, and some of whom had been in these dark dungeons for six, or even eight years. Having furnished these willing allies with arms, they then scattered themselves through the various quarters of the city, calling on all Christians to repair to the church of St. Sophia. Soon a tumultuous crowd was gathered in the baptistery of the church, and there Callinicus the Patriarch, constrained by the two monks and the other partisans of Leontius, preached a sermon to the people on the words, 'This is the day that the Lord hath made: let us rejoice and be glad in it.' The long-repressed hatred of the people to Justinian now burst forth in all its fury: every tongue had a curse for the fallen Emperor, and when day dawned an excited crowd assembled in the Hippodrome, calling with hoarse voices for his death. Leontius, however, mindful of past passages of friendship between himself and the Emperor's father, now spared the son, and after mutilating him in the cruel fashion of Byzantium, by slitting his nose and cutting out his tongue [1], sent him away to banishment at Cherson [2], the scene of Pope Martin's exile. The two chief instruments of his tyranny, Stephen and Theodotus, were seized by the

[1] The subsequent stories of conversations in which Justinian took part perhaps show that this operation was not very thoroughly performed. In consequence of the other mutilation, he is known in history by the name of Rhinotmetus, 'the Nose-slitted.'

[2] As before remarked, this Cherson, which is a city on the south-west coast of the Crimea, must not be confounded with the modern city of Cherson on the mainland, at the mouth of the Dnieper.

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mob without the new Emperor's orders, dragged by the feet to the Forum of the Bull, and there burned alive.

Reign of Leontius, 695–698.

The reign of Leontius was a short one (695–698), and he does not seem to have displayed as Emperor any of that ability or courage which he had shown as general of the Eastern army.

Expedition for recovery of Carthage.

The eyes of all loyal citizens of 'the Roman Republic' were at this time turned towards the province of Africa, where the city of Carthage, recovered by the valour of Belisarius from the Vandal, had just been captured by the sons of Islam. A great naval armament was fitted out under the command of the patrician John. It sailed westward, it accomplished the deliverance of the city from the Saracen yoke, and for one winter John ruled in the city of Cyprian as Roman governor. The Saracen commander, however, was not disposed to acquiesce in his defeat. He returned with a larger army, expelled the Imperial garrison, and recovered Carthage for Islam and for desolation. The great armament returned, as that of Basiliscus had done more than two centuries before[1], shamefaced and sore at heart to Constantinople. At Crete, the troops broke out into open mutiny against both their general and the Emperor. John was apparently deposed from the command; a naval officer named Apsimar was proclaimed Emperor: the fleet sailed to Constantinople, which was at that time being wasted by a grievous pestilence: after a short siege, the sentinels on the walls of Blachernae, the northern quarter of the city, were bribed to open the gates to the besiegers: Leontius was dethroned, and Apsimar, who took the name of Tiberius, reigned in his stead.

[1] See vol. ii. p. 458 (p. 449, 2nd Ed.).

Reign of Tiberius III, 698–705.

Pontificate of John VI, 701–705.

During the seven years' reign (698–705) of this ineffective and colourless usurper[1] the Papal chair—with whose occupants we are now primarily concerned—again became vacant. The comparatively long and successful pontificate of Sergius came to an end, and a Greek, who took the title of John VI, was raised to the papacy.

Visit of Exarch Theophylact to Rome.

In his short pontificate the Exarch Theophylact came by way of Sicily to Rome[2]. By this time the mere appearance of the Exarch in the City by the Tiber seems to have been felt almost as a declaration of war. The soldiers (again evidently a kind of local militia) from all parts of Italy mustered in Rome with tumultuous clamour, determined, we are told, 'to tribulate the Exarch[3].' The Pope, however, interposed in the interests of peace and good order. He

[1] This is the aspect which Tiberius III wears to me, but Prof. Bury, who can 'read between the lines' of the Byzantine chroniclers far better than I can, says, 'The reign of Tiberius III was by no means discreditable as far as foreign politics were concerned, and the silence of historians leads us to conclude that his subjects were not oppressed by heavy burdens' (ii. 357). He also remarks—and it is an important caution—that 'amid the details which historians record of the elevations and falls of the Emperors of this period, who appear and vanish so rapidly in scenes of treason and violence, we are apt to lose sight of the steadfast and successful resistance which the Empire never failed to offer to the Saracens. . . . Had it not been for the able sovereigns and generals of New Rome, the Saracens might have almost, if I may use the word, Islamised Europe' (Ibid. pp. 355–6).

[2] 'Hujus temporibus venit Theophylactus cubicularius patricius et exarchus Italiae de partes (*sic*) Siciliae in urbe Roma' (Lib. Pont. in Vitâ Joannis VI).

[3] 'Cujus adventum cognoscentes militia totius Italiae tumultuosé convenit apud hanc Romanam civitatem vellens praefatum Exarchum tribulare' (Ibid.).

closed the gates of the City, and sending a deputation of priests to the improvised camp[1] in which the mutineers were assembled, with wise and soothing words quelled the sedition. There were, however, certain informers whose denunciations of the citizens of Rome had furnished the Exarch with a pretext for unjust confiscations, and these men apparently had to suffer the vengeance of the people before order could be restored.

Expedition of Gisulf II of Benevento.

It was during the pontificate of this Pope that the previously described[2] expedition of Gisulf I of Benevento into Campania took place, and it was John VI who, out of the treasures of the Papal See, redeemed the captives of the Samnite duke.

Pontificate of John VII, 705–707.

Another short pontificate of another John followed. The new Pope, John VII, was, like his predecessor, of Greek extraction. His father, bearing the illustrious name of Plato, had held the high office of Cura Palatii, an office which in Constantinople itself was often held by the son-in-law of the Emperor. Plato had in that capacity presided over the restoration of the old Imperial palace at Rome, which was now the ordinary residence of the Exarch's lieutenant[3]. The future Pope was, so late as 687, administrator (*rector*) of the Papal patrimony along the Appian Way. His portrait in mosaic, which was formerly in the Oratory of the Virgin at St. Peter's, is still visible in the crypts of the Vatican.

[1] 'Apud fossatum in quo in uaum convenerant' (Lib. Pont. in Vitâ Joannis VI).

[2] See p. 336.

[3] See the epitaph of Plato, quoted from De Rossi by Duchesne (Lib. Pontificalis, vol. i. p. 386). This epitaph, in the church of St. Anastasius, was still visible in the fifteenth century.

Restoration of Justinian II, 705.

The election of Pope John VII nearly coincided in time with the return of the fierce tyrant Justinian II to his capital and his throne after ten years of exile. Of his wanderings during these ten years we have a short and graphic account in the pages of Nicephorus and Theophanes. Cherson rejected him, fearing to be embroiled for his sake with the reigning Emperor. He roamed from thence into that region in the south of Russia which—it is interesting to observe—was still called the country of the Goths [1]. Here he threw himself on the hospitality of the Chagan of the Khazars, a fierce tribe with Hunnish affinities, who had come from beyond the Caucasus, and were settled round the shores of the Sea of Azof. The Chagan gave him his sister in marriage, and she was probably baptized on that occasion, and received the name of Theodora [2]. With this barbarian bride the banished Emperor seems to have lived in some degree of happiness at Phanagoria by the straits of Yenikale, just opposite Kertch in the Crimea. But Tiberius, who could not 'let well alone,' sent messengers to the Khazar chief offering him great gifts if he would send him the head of Justinian; still greater if he would surrender him alive. The barbarian listened to the temptation, and under pretence of providing for his brother-in-law's safety, surrounded him with a guard, who, when they received a signal from their master—that is probably when the promised gifts were safely deposited in the Chagan's palace—were to fall upon

[1] *εἰς τὸ φρούριον τὸ λεγόμενον Δόρος πρὸς τῇ Γοτθικῇ κείμενον χώρᾳ ἀπέδρασεν* (Niceph. p. 46).

[2] Another instance of Justinian the Second's imitation of his great namesake (Bury, ii. 358).

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the exile and kill him. A woman's love, however, foiled the treacherous scheme. Theodora learned from one of her brother's servants what was being plotted, and warned her husband, who, summoning the Chagan's lieutenant into his presence, overpowered his resistance, fastened a cord round his neck, and strangled him with his own hands. In the same way he disposed of 'the Prefect of the Cimmerian Bosphorus,' apparently an officer of the Empire through whom the negotiations with the Chagan had been carried on: and then, after sending his faithful wife back to her brother's court, he escaped to the Straits of Yenikale, where he found a fishing smack, in which he sailed round the Crimea. At Cherson he had many enemies, but he had also powerful friends, and in order to summon these he lay to at a safe distance from the city. As soon as they were on board, he again set sail, passed the lighthouse of Cherson, and reached a place called the Gates of the Dead, between the mouths of the rivers Dnieper and Dniester. Here, or soon after they had passed it, a terrible storm arose, and all on board the little craft despaired of their deliverance. Said one of the ex-Emperor's servants to his master, 'See, my lord, we are all at the point of death: make a bargain with God for your safety. Promise that if he will give you back your Empire you will not take the life of any of your foes.' Thereupon Justinian answered in fury, 'If I consent to spare any one of those men, may God this moment cause the deep to swallow me.' Contrary to all expectation they escaped from the storm unhurt, and before long made the mouth of the Danube. They sailed up the stream, and Justinian despatched one of his followers to the rude court of

Terbel, king of Bulgaria. Rich gifts and the hand of the Emperor's daughter in marriage[1] were the promised rewards if Terbel should succeed in replacing him on his throne. The Bulgarian eagerly accepted the offer: oaths were solemnly sworn between the high contracting parties, and after spending a winter in Bulgaria, Justinian with his barbarian ally marched next spring against Constantinople.

Triumph of Justinian, 705.

Again the attack was directed against Blachernae, the northern end of the land wall of Constantinople, and evidently the weakest part of the fortifications. For three days the Bulgarian army lay outside the walls, Justinian vainly offering to the citizens conditions of peace, and receiving only words of insult in return. Then, accompanied by only a few of his followers, he entered the city, as Belisarius had entered Naples, by an aqueduct, and almost without fighting made himself master of that part of it in which was situated the palace of Blachernae, where he took up his abode. The complete conquest of the city probably occupied some weeks[2]: but it was at last effected. Tiberius III, now once again known by his old name of Apsimar, left the city, and sought to flee along the coast of the Euxine to Apollonia, but was brought back in chains to Constantinople. His brother and generalissimo Heraclius, who had fought bravely in the wars against the Saracens, and all his chief officers and

[1] This promise, in connection with the very recent marriage of Justinian to Theodora, is somewhat perplexing. I would suggest that Justinian, who was by this time thirty-five years of age, had probably married before his expulsion from Constantinople, and that his first wife had died before 703. On this theory he may easily have had a daughter of marriageable age at this time.

[2] See Bury, ii. 360, n. 2, commenting on Theophanes.

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body-guards were hung from high gallows erected on the walls. For Apsimar himself yet deeper degradation was in store. His old rival Leontius, whom he had dethroned seven years before, was brought forth from the monastery to which he had consigned him, and the two fallen Emperors, bound in chains, were paraded through the fourteen regions of the city, a mark for all the scoffs and taunts of a populace ever ready to triumph over the fallen. Then it was announced that great chariot races would be exhibited in the Hippodrome. The people flocked thither, and saw the restored Emperor sitting on his lofty throne. His two rivals, still loaded with chains, had been thrown down before his chair, and each one of his purple sandals rested on the neck of a man who had dared to call himself Augustus while he yet lived. The slavish mob, who deserved to be ruled over by even such a tyrant as Justinian II, saw an opening for pious flattery of the successful cause, and shouted out, in the words of the 91st Psalm, 'Thou hast trodden on the Asp and the Basilisk: the Lion and the Dragon hast thou trodden under foot[1].' The Asp was meant to drive home the sense of his humiliation to the heart of Apsimar: the Lion was an insult for the fallen Leontius. After some hours of this humiliation they were taken to the place of public execution, and there beheaded.

Justinian's vengeance on his enemies.

The vengeance which filled the soul of Justinian while he was tossing in his skiff off the coast of Scythia had now full play. The patriarch Callinicus, who had

[1] Psalm xci. 13. In our version the words are, 'Thou shalt tread upon the lion and adder, the young lion and the dragon shalt thou trample under thy feet.'

preached the sermon on his downfall, was blinded and sent in banishment to Rome—a wholesome warning to Pope and citizens of the fate which might befall those who resisted the might of the World-Emperor—and in his place a monk named Cyrus, who had predicted the restoration of Justinian, was made Patriarch of Constantinople. Citizens and soldiers past counting perished in the reign of terror [1] which followed. Some were sewn up in sacks and thrown into the sea. Others were, with treacherous hospitality, invited to some great repast, and as they rose up to depart were sentenced either to the gallows, or to execution by the sword [2]. The Emperor's fury raged most wildly of all against the citizens of Cherson, who had dared to cast him forth from their midst, and had, as he considered, treacherously intrigued against him with Tiberius III. But the story of this revenge belongs to the latest years of the Imperial fiend. Our immediate business is to describe his dealings with the Pope of Rome and the citizens of Ravenna.

Justinian's message to Pope John VII.

After the returned exile had been for a little more than a year in the possession of his recovered dignity, mindful still of his coveted glory as an ecclesiastical legislator, he sent two bishops of metropolitan rank, bearing the same Tome which had been before addressed to Pope Sergius, but bearing also a 'sacred' letter (the letters of Emperors were always thus styled), in which Justinian exhorted the Pope to convene a synod,

[1] I borrow this apt expression from Bury, ii. 361.

[2] Ἀναρίθμητον δὲ πλῆθος ἔκ τε τοῦ πολιτικοῦ καὶ τοῦ στρατιωτικοῦ καταλόγου ἀπώλεσεν. Πολλοὺς δὲ καὶ ἐν σάκκοις ἐμβαλὼν ἐν τῇ θαλάσσῃ πικροθανάτους ἐποίει, Ἄλλους δὲ πρὸς ἀριστόδειπνον κλητορεύων, ἅμα τῷ ἀναστῆναι οὓς μὲν ἐφούρκιζεν, οὓς δὲ ἀπέτεμνεν (Theoph. A.M. 6198).

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to which he should communicate the Acts of the Quinisextan Council, confirming all the canons that seemed to him worthy of approbation, and deleting those which he deemed inexpedient [1].

Compliance of the Pope.

The timid Pope, John VII, probably an elderly man, who had learned habits of obedience as a civil servant before he was an ecclesiastic, and who had no doubt looked upon the sightless eyeballs of the Patriarch of Constantinople, blinded by this terrible autocrat, shrank from the responsibility of convening a synod, shrank from suggesting what canons in the Imperial Tome were deserving of censure, and in fact, through 'weakness of the flesh,' returned the Tome by the hands of the metropolitans to the Emperor, saying that he had no fault to find with any part of it [2]. Soon after this unworthy concession, Pope John VII died, and was succeeded by a Syrian named Sisinnius, who was, we are told, so afflicted by gout—an especially Papal malady—that he was obliged to employ the hands of others to convey food to his mouth. His short pontificate—of only twenty days—is noteworthy only for the fact that he set the lime-kilns at work to make mortar for the repair of the walls of Rome. An evil precedent truly. How many of that silent population of statues which once made beautiful the terraces of Rome have perished in these same papal lime-kilns!

Pontificate of Sisinnius, 708.

[1] 'Et quaeque ei visa essent, stabiliret, quaeque adversa, rennuendo cassaret.' This is the account of the matter given by the Papal biographer. It is possible that the self-willed Emperor was not really so complaisant.

[2] With words of unaccustomed censure the Papal biographer says, 'Sed hic, *humanâ fragilitate timidus*, hos nequaquam emendans per suprafatos metropolitas direxit ad principem. Post quae non diu in hac vitâ duravit.'

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Pontificate of Constantine, 708-715.

The short pontificate of Sisinnius was followed by the long one of Constantine (708–715), the last Roman pontiff, apparently, who visited Constantinople. In his pontificate the ecclesiastical feud with the Archbishop of Ravenna, which had slumbered for thirty years, broke out afresh. Archbishop Theodore (677–691), whose quarrels with his clergy about money matters are quaintly described by Agnellus, had apparently reconciled himself with Rome in order to protect himself against the hatred of Ravenna; and his successor Archbishop Damian (692–708) had accepted the peace thus made, and had consented to journey to Rome for his consecration. So, too, did his successor, Archbishop Felix (708–724), but when the consecration was accomplished, the old rupture between the sees was recommenced on the question of the bonds (*cautiones*) for future obedience which the Pope exacted from the Archbishop. The profession of faith according to the decrees of the six councils, and the promise to abide by the canon law, were perhaps given in the accustomed form by the new Archbishop, but the third document required of him, which was a promise to do nothing contrary to the unity of the Church and the safety of the Empire, he claimed to express in his own language, and not in that prescribed by the Pope, and he was apparently supported in this resistance by the civil rulers of Ravenna. Such as it was, the bond was deposited in St. Peter's tomb, and not many days afterwards, says the Papal biographer, it was found all blackened and scorched as if by fire[1].

Quarrel with Archbishop of Ravenna.

[1] 'Hic ordinavit Felicem archiepiscopum Ravennatem: qui secundum [morem] priorum suorum solitas in scrinio noluit facere cautiones, sed per potentiam judicum exposuit ut maluit. Cujus

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For this resistance to the authority of the Roman See, the Papal biographer considered that the Archbishop and his flock were worthily punished by the calamities which now came upon them through the furious vengeance of Justinian.

Justinian's fury against Ravenna.

What was the reason for the frenzied Emperor's wrath against Ravenna does not seem to be anywhere directly stated. We might conjecture that he remembered with anger the opposition which the citizens had offered some ten years before to his arrest of Pope Sergius, but in that case Pope Constantine would surely have shared in the punishment. It seems more likely that there is some truth in the obscure hints given us by Agnellus that certain citizens of Ravenna had taken part in that mutilation of the sacred person of the Emperor which accompanied his deposition [1]. Probably also the city had too openly manifested its joy at Justinian's downfall, and had too cordially accepted the new order of things established by Leontius, and afterwards by Apsimar. Whatever the cause, the rage of the restored Emperor turned hotly against the devoted city. 'At night,' says Agnellus (who perhaps exaggerates the importance of his own native place), 'amid the many meditations of his heart his thoughts turned constantly to Ravenna, and he

cautio a pontifice in sacratissimâ confessione beati Petri apostoli posita, post non multos dies tetra et quasi igni combusta reperta est' (Lib. Pont., Vitâ Constantini). See Duchesne's note on this obscure and difficult passage. I have ventured slightly to deviate from his explanation.

[1] 'Igitur in istius temporibus Constantini [*lege* Justiniani] imperatoris a suis militibus *cum aliquibus civibus Ravennae* nares et aures abscissae fuerunt' (Agnelli, Lib. Pont. Eccl. Rav., in Vitâ S. Felicis).

said to himself perpetually, "Alas! what shall I do, and how shall I begin with my vengeance on Ravenna?"'

The actual execution of his scheme of revenge, however, seems not to have been difficult. He summoned the general-in-chief[1], a Patrician named Theodore, and ordered him to collect a fleet and sail first to Sicily (possibly in order to repel some assault of the Saracens), and afterwards to Ravenna, there to execute certain orders, as to which he was to preserve impenetrable silence. When his duty in Sicily was done, the general sailed up the Adriatic, and when he beheld Ravenna afar off, burst forth, if we may believe our monkish chronicler, into a pathetic oration, in which, with Virgilian phrase, he lamented the future fate of that proud city: 'the alone unhappy and alone cruel Ravenna, which then lifted her head to the clouds, but should soon be levelled with the ground.' Having arrived at the city, and been greeted with the pomp due to the Emperor's representative, he pitched his tents, adorned with bright curtains, in a line of a furlong's length by the banks of the Po[2]. Thither came all the chief men of the city, invited, as they supposed, to a banquet in the open air, for which the seats and couches were spread on the green grass. But as they were introduced, two and two, with solemn courtesy into the general's tent, at the moment of entrance they were gagged, and their hands bound behind their backs, and they were hurried off to the

[1] 'Monstraticum,' in Agnellus' barbarous phraseology, is supposed to represent μονοστρατηγός. We get the name and the patrician rank of Theodore from the Liber Pontificalis.

[2] 'Eridani ripam sulcavit.' Probably Agnellus means the Ronco, unless the Po has greatly changed its course.

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general's ship. When the nobles of the city and the Archbishop Felix had all been thus disposed of, the soldiers entered Ravenna, and amid the loud lamentations, but apparently not the armed resistance, of the citizens, set some of the houses on fire[1].

When the captives from Ravenna were landed at Constantinople they were brought into the presence of Justinian, who was seated on a golden throne studded with emeralds, and wore on his head a turban interwoven with gold and pearls by the cunning hands of his Khazar Empress. All the senators of Ravenna were slain, and Justinian had decided to put the archbishop also to death. But in the visions of the night he saw a youth of glorious appearance standing by Felix, and heard him say, 'Let thy sword spare this one man.' He gave the required promise in his dream, and kept it waking by remitting the penalty of death on the archbishop; but according to the cruel Byzantine custom he ordered him to be blinded. A silver dish was brought and heated to incandescence in the furnace. Vinegar was then poured upon it: the archbishop was compelled to gaze at it long and closely, and the sight of both eyes was destroyed.

The reflection of the Papal biographer on these events is as follows:—'By the judgment of God, and the sentence of Peter, prince of the Apostles, those men who had been disobedient to the apostolic see perished by a bitter death, and the archbishop, deprived of sight, receiving punishment worthy of his deeds, was transmitted to the region of Pontus.'

Of the events which followed at Ravenna it is

[1] I think this must be the meaning of Agnellus, when he says, in his rhetorical way, 'supposuerunt civibus ignem.'

710. Tumults at Ravenna.

impossible to extract any rational account from the turgid nonsense of Agnellus. We can just discern that Joannes Rizocopus, apparently the newly-appointed Exarch, after visiting Naples and Rome, reached Ravenna, and there for his wicked deeds, by the just judgment of God, perished by a most shameful death. This is generally supposed, but perhaps on insufficient evidence, to have happened in a popular insurrection. On his death apparently the citizens of Ravenna elected a certain George (son of a learned notary named Johanices, who had been carried captive to Constantinople and slain there) to be captain over them. He harangued them in stirring speeches (full of Virgil), and all the cities round Ravenna, Sarsina, Cervia, Forlimpopoli, Forli, placed themselves under his orders, garrisoned the capital, and defied the troops of the Emperor. Doubtless the insurrection was quelled, but how and when, and whether after a long interval of civil war or no, the chronicler, who gives us a multitude of useless details about the equestrian performances and spirited harangues of the rebel captain, quite fails to inform us. We learn, however (and here the better authority of the Papal biographer coincides with that of Agnellus), that after the death of Justinian the poor blinded Archbishop Felix returned from exile, resumed possession of his see, gave all the required assurances to the Pope, and died (725) at peace with the See of Rome.

The Pope visits Constantinople.

Meanwhile Pope Constantine was visiting Constantinople, by the Emperor's command, in very different guise from that in which his predecessor Martin had visited it half a century before. He set sail from the harbour of Rome on the 5th of October, 710, accom-

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panied by two bishops and a long train of ecclesiastics, among whom the future Pope Gregory II is the most interesting figure [1]. When he arrived at Naples, he found the Exarch Joannes Rizocopus, come, if our former conjecture be correct, to take possession of his new government. Their paths crossed: Joannes went northwards to Rome, where he put to death four ministers of the Papal court [2],—a mysterious act of severity which, unexplained, seems to contrast strangely with the diplomatic courtesies then being interchanged between Rome and Constantinople,—and then he proceeded on his way to Ravenna, where, as has been already said, a shameful death awaited him.

As for the Pope, he proceeded on his way to Sicily, where Theodore, patrician and general, the executor of Justinian's vengeance on Ravenna, met him with deep reverence, and was healed by him of a sickness which had detained him in the island. The Papal galleys then coasted round the southern cape of Italy, touching at Reggio, Cotrone, Gallipoli (where Bishop Nicetas died), and at last arrived at Otranto, where they wintered. Here they were met by the *regionarius* Theophanius, who, we are told, brought a document

[1] It may be worth while to give names and offices of these men, as illustrating the composition of the Papal Court at this time:—'Secuti sunt eum Nicetas episcopus de Silvâ Candidâ, Georgius episcopus Portuensis, Michaelius, Paulus, Georgius presbyteri, *Gregorius diaconus*, Georgius secundicerius, Johannes defensorum primus, Cosmas sacellarius, Sisinnius nomenclator, Sergius scriniarius, Dorotheus subdiaconus et Julianus subdiaconus, et de reliquis gradibus ecclesiae clerici pauci' (Lib. Pont. in Vitâ Constantini).

[2] 'Qui veniens Romam jugulavit Saiulum diaconum et vicedominum, Petrum archarium, Sergium abbatem presbyterum, et Sergium ordinatorem' (Lib. Pont. in Vitâ Constantini).

under the Imperial seal, ordering all Imperial governors of cities to receive the Pope with as much reverence as they would show to the Emperor's own person. Crossing over at length into Greek waters, and arriving at the island of Ceos, the Pope was there met with the prescribed reverence by Theophilus, patrician and admiral. From thence he proceeded to Constantinople. The Emperor himself was not there, having perhaps purposely withdrawn to Nicaea, but his little son and child-colleague Tiberius, offspring of the Khazar bride[1], came out to the seventh milestone, escorted by Cyrus the Patriarch of Constantinople, the Senate, and a long train of nobles and clergy, to meet the pontiff of Old Rome. All the city made holiday, and shouts of gratulation rent the air when the Pope, clad in full pontificals such as he wore in the great processions at Rome, entered the city mounted on one of the Imperial palfreys, with gilded saddle and gilded reins, which the servants of Justinian had brought to meet him.

[1] As to this little prince, who could not be more than six years old at the time of the Papal entry, we are told by Theophanes (A.M. 6198) that Justinian, on his restoration to the throne, sent a whole fleet of ships to fetch his wife from the shores of the Sea of Azof. A storm arose; most of the ships foundered, and their crews perished. Thereupon the Chagan of the Khazars wrote to him, 'Fool! to send so many ships and waste so many lives over the recovery of your wife. Did you mean to go to war with me? If not, two or three ships would have sufficed for your purpose. Behold, a son is born to you here. Send trusty messengers who may lead him to you.' With that the Emperor sent Theophylact the chamberlain (apparently the former Exarch), who brought to Constantinople Theodora and her infant son Tiberius. Both were crowned, and both were associated with Justinian in the Imperial dignity.

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711. Meeting of Pope and Emperor.

The Emperor, on hearing of the Pope's arrival, was, we are told, filled with joy, and sent a 'sacred' letter to express his thanks, and to ask Constantine to meet him at Nicomedia in Bithynia, to which city he himself journeyed from Nicaea. When they met, the Papal biographer assures us that 'the most Christian Augustus, with his crown on his head, prostrated himself and kissed the feet of the pontiff. Then the two rushed into one another's arms, and there was great joy among the people, when all of them beheld the good prince setting such an example of humility.' From all the other information which we possess as to the character of Justinian II, grave doubts arise whether that 'good prince' really humbled himself so far as to kiss the feet of his guest: but we can well believe that he received the Communion at the pontiff's hands, and besought his prayers that he might obtain much needed pardon for his sins. Some sort of discussion took place, for the deacon Gregory, the future Pope, 'when interrogated by the Emperor Justinian concerning certain chapters, gave an excellent answer, and solved every question[1].' We are told also that Justinian 'renewed all the privileges of the Church,' which suggests that something had taken place which might seem to infringe them. On the whole we are compelled to believe that there is here a dishonest suppression of facts on the part of the biographer, that the canons of the Quinisextan Synod were again laid by the Emperor before the Pope, and were (possibly with some modifications, for

[1] 'A Justiniano principe inquisitus de quibusdam capitulis optimam responsionem [dedit et] unamquamque solvit quaestionem' (Lib. Pont., in Vitâ Gregorii II).

which deacon Gregory successfully contended) accepted by him.

711. The Pope's return.

On his departure from Nicomedia, the Pope was enfeebled by frequent attacks of sickness, but he was at length enabled to accomplish his return journey, and landing at Gaeta, arrived on the 24th of October, 711, at Rome, where, after his year's absence, he was received with loud shouts of joy by the people.

Probably even if the Pope did yield in the matter of the Quinisextan Council, that concession was worth making for the sake of the increase of dignity which such a journey and such a reception in the Eastern capital brought to his office. After all deductions have been made for the exaggerations of the Papal biographer, there can be no doubt that the reception was a splendid one, and that the remembrance of the contumely heaped on Pope Martin might well be effaced by the sight of the reverence paid to Pope Constantine.

Final fall of Justinian II.

Scarcely had the Pope completed his return voyage, when the Emperor who had received him with such signal honour was slain. The chroniclers give us a very detailed, but also a singularly obscure history of the events which led to his downfall, but one thing is clear through all the confusion, that in his really insane fury of revenge against the inhabitants of Cherson, Justinian overreached himself, and almost compelled his most loyal servants to conspire against his throne[1].

[1] This is not the place for examining minutely the perplexed narrative of Justinian's expeditions against Cherson, but it seems to me that by carefully collating the two narratives (evidently drawn from one common source) of Theophanes and Nicephorus, a somewhat clearer view of the whole transaction might be

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710. Revenge on Cherson.

Three expeditions were successively sent against Cherson, with orders to accomplish the utter destruction of the city. The first was fairly successful: the leading citizens were sent to Justinian for him to wreak his vengeance upon them; some of the nobles were tied to stakes and roasted before a slow fire; others were tied into a barge filled with heavy stones, and so sunk in the sea. But Justinian was not satisfied; he accused his generals of slackness in executing his orders, superseded them, and sent out others, who in their turn—partly owing to the energy with which despair had filled the Chersonites, partly owing to the interference of the Chagan of the Khazars, who came to defend the threatened city against a Roman Emperor more barbarous than himself—gave up their

obtained. For instance, the present text of Theophanes informs us that 'Tudun the governor of Cherson, and representative of the Chagan of the Khazars, and Zoilus, who by birth was first citizen of the place, and forty other illustrious inhabitants, were fastened to wooden stakes and roasted before the fire.' After this we learn with some surprise that Justinian having changed his plans, sent Tudun and Zoilus back to the Chagan with his excuses. But the mystery is explained when we turn to Nicephorus, who says, 'Dunus [Tudun] the governor of Cherson, and Zoilus, who was called the first citizen, and forty others of the most illustrious inhabitants, with their wives and children, *were sent to Justinian*, and seven others of the leading men in Cherson were fastened to wooden stakes and roasted before the fire.' Evidently either Theophanes or his transcribers have left out the middle of the sentence, and so made nonsense of the passage. Both Nicephorus and Theophanes have probably got hold of very exaggerated accounts of these expeditions. It is quite clear that the destruction of the citizens in the first expedition cannot have been so complete as is represented; nor do I, for my part, believe that 75,000 of Justinian's sailors perished in the great storm, and that the Emperor, mad as he probably was, rejoiced in their destruction.

bloody commission in despair, and then for mere self-protection joined the party of revolt.

711. Revolt of Bardanes.

This party of revolt clustered round a certain Bardanes, an Armenian, to whom a Monothelete monk had long before prophesied that he would one day be Emperor of Rome. At each successive revolution, when Leontius and when Apsimar were raised to the throne, Bardanes had sought his monkish friend, who said each time, 'Be patient; the day is not come yet; but when it does come, be sure that you restore Monotheletism, and undo the work of the Sixth Council.' Bardanes talked imprudently of these prophesyings to his comrades, and rumours of them reached the ears of Apsimar, who banished him to the island of Cephalonia. Justinian, to whom Apsimar's enemy probably seemed a friend, permitted Bardanes to return from banishment; and now, for some reason which is not clear to us, permitted him to accompany the first expedition to Cherson. Helias, whom Justinian appointed governor of Cherson, when he found that he had incurred his master's displeasure, proclaimed Bardanes Emperor under the less barbarous name of Philippicus, and the cause of this rival claimant to the throne was eagerly embraced by the despairing citizens of Cherson, and by one after another of the generals whom Justinian sent against them, and who feared to return to their master with his vengeance unsated. When Justinian heard of the elevation of Philippicus, his fury became more terrible than ever. Every one of the children of Helias was massacred in its mother's arms, and she herself was handed over to the dishonouring embraces of an Indian cook of the Emperor, a man of hideous ugliness.

711.

The upshot of the whole matter was that the remnants of all three expeditions returned to Constantinople bent on dethroning Justinian, and placing the diadem on the head of Bardanes-Philippicus. Justinian again sought the help of Terbel, king of the Bulgarians (with whom he had had many quarrels since he was restored to the throne by his aid), but obtained from him only three thousand men. He fixed his camp at Damatrys[1], and himself proceeded to Sinope, the nearest point to the Crimea on the coast of Asia Minor. Here he perhaps expected the hostile fleet to land, but he saw instead the sails of the mighty armament which he had himself fitted out, bearing off westward to Constantinople to accomplish his doom. He returned, 'roaring like a lion,' on the road to the capital, but his enemy had arrived there before him. Philippicus reigned in Constantinople: every avenue to the city was carefully guarded by his troops. Back fled Justinian to his camp at Damatrys, but there too his enemies were beforehand with him. The man whom he had so cruelly wronged, Helias, the life-guardsman and governor of Cherson, had marched with a strong body of troops to Damatrys, and opened negotiations with the soldiers of Justinian. On receiving solemn assurances of their personal safety, they abandoned their cruel master's cause and consented to shout for Philippicus Augustus. Helias, filled with rage at the remembrance of his wrongs, hunted down the fallen Emperor, made bare his throat, and with one blow from the short sword which hung by his side severed his head from his body. The ghastly trophy was

Death of Justinian II, 711.

[1] I cannot find any other mention of this place. Is it meant for Demetrium in Bithynia?

carried by a guardsman named Romanus to Philippicus, who forwarded it by the same messenger to Rome.

And how was the messenger there received? The Papal biographer says, 'After three months[1] the melancholy tidings resounded through the City that Justinian, the most Christian and orthodox Emperor, was murdered, and the heretic Philippicus had reached the summit of Imperial power.' Into what strange world of Manichean confusion have we strayed, a world in which good and evil have no meaning in themselves, but stand merely as the watchwords of two parties of equally balanced power; a world in which it is possible for a monster like Justinian Rhinotmetus to be mourned as 'a most Christian Emperor'?

Murder of his infant son.

To finish the story of Justinian's downfall, the pathetic end of his little son Tiberius must also be recorded. The little child, still only six years old, had been taken for refuge to the church of the Virgin in the quarter of Blachernae. There he sat, with one hand holding a pillar of the holy table, and with the other clasping some fragments of the true cross, which his great ancestor had recovered from the Persians. Other sacred relics were hung round the child's neck, and Anastasia his grandmother sat near him. Maurus, the leader of the third expedition against Cherson, and now a partisan of Philippicus, strode up to the altar. The aged Empress threw herself at his feet, and implored him not to lay hands on the child, who at any rate was unsoiled by his father's crimes. But while Maurus was thus detained by Anastasia, his comrade and

[1] i. e. three months after the 24th of October, 711, the date of the Pope's return.

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fellow-patrician, Joannes Struthus[1], forcibly wrenched away the little Tiberius from the altar steps, took the fragments of the cross from his hand and laid them upon the altar, hung the other relics round his own neck, and then, carrying the child out to the porch of another church, stripped him of his clothes, laid him on the threshold, and 'cut his throat,' says the chronicler, 'as if he had been a sheep.' With the death of that innocent child at the church-porch ended the dynasty of the great Heraclius. They had borne rule in the Roman world, with two slight interruptions, for one year more than a century.

610–711.

Six years of anarchy.

The fall of the Heraclian dynasty was followed by a period of unsettlement and revolution which lasted for six years. Philippicus (or Bardanes), who reigned from the autumn of 711 to the spring of 713; Anastasius, the chief secretary, who reigned from that date till the autumn of 715; Theodosius, whose reign ended in March, 717, are little more than shadow-Emperors, with whose troubled careers the historian of Italy need not concern himself. Only it is to be noted that under Philippicus there was a temporary recrudescence of that which had seemed safely dead and buried, the Monothelete theory of the nature of Christ. True to the promise which he is represented as having given to the monk who had prophesied his accession to the throne, Philippicus convened a council of Monothelete bishops and abbots, who declared the decision of the Sixth Council to be null and void. The 'sacred' letter which he at the same time addressed to the Pope showed too plainly his heretical opinions. The Roman mob, who seem by this time to have acquired consider-

Recrudescence of monotheletism under Philippicus.

[1] John the Sparrow.

able skill in theological controversy, at once took the alarm, and under the Pope's guidance assumed an attitude of something more than passive opposition. An 'image' (perhaps something like a mediaeval reredos), containing a representation of the six Ecumenical Councils, was set up in St. Peter's by way of reply to the defiance hurled at the Sixth of those Councils by Philippicus[1]. On the other hand, no picture of the heretical Emperor was allowed to be erected in any of the churches; his name was omitted from the Mass; his decrees were treated as waste paper, and golden *solidi* bearing his effigy obtained no currency. At length there was actual civil war in the streets of Rome. A certain nobleman named Peter came from Ravenna, armed with a commission to assume the office of Duke of Rome, deposing Christopher, who then held it. As Peter's commission ran in the name of the hated Philippicus, the people rallied to the side of his rival. Blows were struck, and more than thirty men were killed in the Via Sacra, within sight of the official residence on the Palatine; but the Pope sent some priests bearing the gospels and the cross down into the fray, and these succeeded in allaying the tumult, by persuading 'the Christian party' to retire. Things, however, looked gloomy for orthodoxy and the defenders of the Sixth Council, when, about the middle

Civil war in Rome.

[1] 'Hujusque rei causâ zelo fidei accensus omnis coetus Romanae urbis imaginem quod (*sic*) Graeci Botarea vocant, sex continentem sanctos et universales synodos, in ecclesiâ beati Petri erecta est' (Lib. Pont., in Vitâ Constantini). 'Botarea' baffles the interpreters. [Bury (Byzant. Zeitschrift, 1896, p. 570) suggests this reading: 'Graeci cibotaria vocant'. He thinks that κιβωτάρια is a sort of relic-chest or ark of the covenant, in which the records of the six Ecumenical Councils were preserved.]

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of 713, tidings came by way of Sicily that Philippicus had been deposed. He was seized by conspirators while taking his siesta in the palace, and like most deposed sovereigns of Constantinople, deprived of sight, and the orthodox Anastasius reigned in his stead.

713.

This was the last flicker of the Monotheletic controversy, which had disquieted the Empire for just three-quarters of a century.

638-713.

NOTE C. List of Popes from the death of Gregory I (604) to the ordination of Gregory II (715).

The dates are taken from Duchesne's Table Chronologique, p. cclxii. of the Liber Pontificalis.

Name of Pope.	Nationality.	Date of Ordination.	Length of Pontificate. Yrs.	Mths.	Days.	Date of Death.	Interval. Days.
Sabinianus	Tuscan	Sept. 13, 604	1	5	9	Feb. 22, 606	358
Bonifacius III	Roman	Feb, 19, 607		8	22	Nov. 12, 607	256
Bonifacius IV	Marsian	Aug. 25, 608	6	8	13	May 8, 615	164
Deusdedit	Roman	Oct. 19, 615	3	0	20	Nov. 8, 618	410
Bonifacius V	Neapolitan	Dec. 23, 619	5	10	0	Oct. 25, 625	2
Honorius	Campanian	Oct. 27, 625	12	11	7	Oct. 12, 638	959
Severinus	Roman	May 28, 640		2	4	Aug. 2, 640	144
Johannes IV	Dalmatian	Dec. 24, 640	1	9	18	Oct. 12, 642	43
Theodorus	Greek, son of bishop of Jerusalem	Nov. 24, 642	6	5	18	May 14, 649	(?)
Martinus	Tuscan	July (?), 649		(?)		Degraded June 17, 653	(?)
Eugenius	Roman	Aug. 10, 654	2	9	24	June 2, 657	58
Vitalianus	Campanian	July 30, 657	14	6	0	Jan. 27, 672	75
Adeodatus	Roman	April 11, 672	4	2	5	June 17, 676	138
Donus	Roman	Nov. 2, 676	1	5	10	April 11, 678	67
Agatho	Sicilian	June 27, 678	2	6	14	Jan. 10, 681	584
Leo II	Sicilian	Aug. 17, 682		10	17	July 3, 683	358
Benedictus II.	Roman	June 26, 684		10	12	May 8, 685	76
Johannes V	Syrian	July 23, 685	1	0	9	Aug. 2, 686	80
Conon	Thracian	Oct. 21, 686		11	0	Sept. 21, 687	85
Sergius	Syrian	Dec. 15, 687	13	8	23	Sept. 8, 701	52
Johannes VI	Greek	Oct. 30, 701	3	2	12	Jan. 11, 705	49
Johannes VII	Greek	March 1, 705	2	7	17	Oct. 18, 707	89
Sisinnius	Syrian	Jan. 15, 708			20	Feb. 4, 708	50
Constantinus	Syrian	Mar. 25, 708	7	0	15	April 9, 715	40
Gregorius II	Roman	May 19, 715	15	8	24	Feb. 11, 731	35

The manner of calculating the 'Length of Pontificate' is occasionally somewhat obscure, and the dates do not always fit exactly; but the general results are evident enough. Many of

the pontificates are extremely short, and thus it comes to pass that in an interval of 104 years from the death of Gregory I to the death of Sisinnius we have 23 popes, or about 4½ years to each pope. And this is without counting the intervals between the death of one pope and the election of another, which were sometimes longer than the pontificate itself. In fact the duration of the intervals shown in the above table amounts to 4172 days, or more than 11 years and 8 months in the century. When the interval was under 50 days we must probably conclude that the Imperial confirmation for which the election was usually delayed was given by the Exarch at Ravenna.

CHAPTER X.

THE LAWS OF LIUTPRAND.

Authorities.

Sources:—

Leges Liutprandi as given in the third volume of Troya's 'Codice Diplomatico Longobardo.' Unfortunately the numbering of the laws varies slightly in the different editions. I have generally followed Troya's numbering.

Guides:—

Davoud-Oghlou's excellent 'Histoire de la Législation des Anciens Germains' (vol. ii.), and Carl Meyer's 'Sprache und Sprachdenkmäler der Langobarden' (1877).

FROM the story of the subordinate duchies, and the disputes of Popes and Emperors, we return to the main stream of Lombard history.

Death of Ansprand June 13, 712.

The wise and loyal Ansprand survived his return from exile and his elevation to the throne only three months. When he was upon his deathbed, the people of the Lombards raised his son LIUTPRAND to the throne as his partner while life still remained to him, his successor when death supervened; and the tidings of this event, which apparently was the result rather of popular enthusiasm than of any deep-laid political scheme, brought great joy to the heart of the dying king [1]. For we must always remember that Liutprand,

Elevation of Liutprand.

[1] 'Ansprand Langobardorum regnum potitus, tres solummodo menses regnavit, vir per omnia egregius et cujus sapientiae rari

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though the greatest and most powerful of Lombard sovereigns, and though no other king so nearly succeeded in welding the state into one homogeneous monarchy, had only the slenderest of hereditary claims to occupy the palace of Pavia. To talk of usurpation would be altogether out of place, since the element of popular election common to most of the Teutonic royalties was still strong in the Lombard kingship; but for more than a century all the wearers of the Iron Crown, with one exception[1], had been connected by blood or by marriage with the family of the revered, almost sainted Queen Theudelinda, and to the glory of this descent the son of the Milanese noble Ansprand could lay no claim.

Appearance and character of Liutprand.

Of the year of Liutprand's birth we have no precise information, but as in 701 he was still a very young man, contemptuously allowed to live by the jealous tyrant Aripert II, when he mutilated or put to death all the rest of Ansprand's family, we can hardly suppose him to have been more than twenty-eight years old when, eleven years afterwards, he mounted the throne. He was a man of great personal strength and courage, and in his reign of thirty-one years he had the opportunity of displaying on a wide, one might almost say on a European theatre, the large gifts of statesmanship with which nature had endowed him. In these early centuries, after the disruption of

aequandi sunt. Cernentes Langobardi hujus interitum, Liutprandum ejus filium in regali constituunt solio: quod Ansprand dum adhuc viveret audiens, valde laetatus est' (Paulus, H. L. vi. 35).

[1] Rodwald, whose connection with Theudelinda's family is at least doubtful.

the Roman Empire, no other ruler save Theodoric the Ostrogoth came so near to founding a real kingdom of Italy: but like Theodoric, his work perished because he had no son to succeed him.

Conspiracy of Rothari.

At the very outset of his reign he narrowly escaped death by domestic treason. For some reason or other, his cousin Rothari[1] conspired against his life, and invited him to a feast, at which he was to have been slain by armed men concealed in the banqueting-hall. Being warned of the plot, Liutprand summoned his cousin to the palace. He came, wearing a coat of mail under his mantle, which the king's hand discovered in the act of exchanging salutations. The tragedy of Grimwald and Godipert was again performed, with slightly different circumstances. When Rothari saw that he was discovered, he drew his sword and rushed at the king. Liutprand drew his too, but before either could strike, one of the king's lifeguards, named Subo, attacked Rothari from behind. He turned round and wounded his assailant in the forehead, but the interruption probably saved the king's life. The other bystanders fell at once upon Rothari, and slew him. His four sons, whose disappearance from the capital caused them to be suspected of complicity in their father's designs, when discovered were put to death.

Liutprand's courage.

As an illustration of the personal courage of the new king, Paulus tells us another story, which probably belongs to a later period of his reign. Being told that two squires had plotted his death, he ordered their attendance upon him, and rode with them and with no other escort into the densest part of the

[1] This name suggests the possibility that Liutprand himself may have been sprung from the race of King Rothari.

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forest [1]. Then drawing his sword and pointing it towards them, he upbraided them with their murderous designs, and called upon them, if they were men, to come on and slay him then and there. Stricken by 'the divinity which doth hedge a king,' the caitiffs fell at his feet and implored his pardon, which was granted to them as to many others who at different times conspired against him, for great was this king's clemency.

The year 726 a turning-point in the reign of Liutprand.

The reign of Liutprand naturally divides itself into two parts. The first fourteen years of that reign (712–726) are almost bare of events. Doubtless he was, during all that time, consolidating the forces of his kingdom; and the numerous laws which, during this period, were passed at the yearly assemblies of his armed fellow-countrymen, show his anxious care for the good government of his people. In 726, with the outbreak of the great Iconoclastic controversy, the scene changes, and an almost bewildering succession of wars, alliances, conquests, restorations of territory, interviews with Popes, and negotiations with Exarchs, fills up the remaining seventeen years of his reign.

Reserving for the next chapter the intricate, but momentous history of those eventful years, I propose now to summarise those additions to the Statute Book which attest Liutprand's activity as a legislator, and which were made in great measure, though not entirely, before the Iconoclastic controversy set Italy in a flame.

Yearly assemblies of the Lombards.

On the 1st of March [2], for fifteen out of the thirty-one years of his reign, Liutprand, 'the Christian and

[1] Probably the 'City' forest in the neighbourhood of Pavia, of which we have already heard. See pp. 306 and 308.

[2] Sometimes on the preceding day.

Catholic' King, by the advice and with the consent of the 'Judges' of his realm and of the rest of his faithful Lombards, put forth his little volume of laws 'for the settlement of any points of controversy which had arisen between his subjects, and which seemed to be insufficiently provided for by his most robust and most eminent predecessor Rothari,' or by the 'most glorious' Grimwald[1].

Divine right of kings.

At the very outset of his reign the young king claims high authority for his utterances as a legislator. 'He has conceived the idea of framing these laws, not by his own foresight, but by the will and inspiration of God: because the king's heart is in the hand of God, as is witnessed by the wisdom of Solomon, who said, "As the rush of water, so is the heart of the king in God's hand: if He shall keep it back, everything will be dried up, but if He in His mercy gives it free course, everything is watered, and filled with healthfulness." So too the Apostle James in his Epistle says, "Every good gift and every perfect gift is from above, and cometh down from the Father of lights."'

[1] The following sentence, prefixed to the laws of 713, may be taken as pretty nearly the common form for the introduction to the Statutes of all the succeeding years:—'Ob hoc ego in Dei nomine Liutprand excellentissimus Christianus et Catholicus Langobardorum rex, anno deo protegente regni mei primo, pridie' [more often 'die'] 'Kalendarum Martiarum indictione undecimâ una cum omnibus judicibus tam de Austriae et Neustriae partibus, necnon et de Tusciae finibus, vel cum reliquis fidelibus meis Langobardis et cuncto populo adsistente, haec nobis commune consilio, juxta [justa] ob Dei timore atque amore ac sancta conparuerunt et placuerunt.' The years in which Liutprand's laws were published were 713, 717, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 731, 733, 734, and 735. As the total number of 'capitula' was 155, this gives an average of about ten laws to each year of publication.

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This highly theological statement of the king's functions is no doubt due to the ecclesiastic employed by him to express his thoughts in that which was supposed to be the Latin language, and it is probably to the same official that we owe the following strong statement of the supremacy of the Roman Church, which is contained in the law against marriage with a first cousin's widow.

Glorification of the Papal power.

After enacting that any man offending against this law shall forfeit all his property, and his children shall be treated as illegitimate, the royal legislator adds, 'This ordinance have we made because, as God is our witness, the Pope of the City of Rome, *who is the head of the Churches of God and of the priests in the whole world*, has exhorted us by his epistles in no wise to allow such marriage to take place[1].' But notwithstanding these expressions, and though the prologues to the laws lay a strong emphasis on the now Catholic character of the Lombard nation, it cannot be said that they exhibit any trace of that obsequious servility towards the Church which is characteristic of the laws of the Visigothic kings a little before this date, nor is there any vestige in them of that furious persecution of the Jews which was the especial disgrace of Spanish Christianity, and which paved the way for the Moorish conquest of Spain.

It must be noticed in passing that the Latin in which King Liutprand's statutes are clothed is barbarous, often to the verge of incomprehensibility,

[1] l. xxxiii. The first sentence of this law is, 'Hoc autem deum juvantem praevidimus ut amodo nullus homo presumat relicta de consobrino *aut bisobrino* suo ducere.' Does this forbid marriage even with a second cousin's widow?

more barbarous than that of Gregory of Tours, more barbarous even (and this is worth noticing) than the laws of Rothari. Evidently during the seventy or eighty years that had elapsed since that king's accession, the light shed by the torch of learning had been growing dimmer and dimmer, and the Church had been losing even the feeble hold which she once had upon the wisdom and the culture of buried Paganism.

Liutprand's laws compared with Rothari's.

Taking a general survey of the laws of Liutprand and comparing them with those of Rothari, we see at once that the Lombards have entered upon a new phase of social life. The laws of the later legislator breathe far less than those of his predecessor the atmosphere of the forest and the moorland. The laws about falcons, and stags, and swarms of bees, have disappeared from the statute book, or at least require no fresh additions to be made to them, but instead thereof we have elaborate provisions for the enforcement of contracts and the foreclosure of mortgages.

Penalty for murder increased.

One great and striking change made by King Liutprand shows the increasing value set upon human life, as the Lombards were putting off their barbarous customs and settling down into a well-ordered commonwealth. This was the virtual abolition of the *guidrigild*, and the substitution of absolute confiscation of the offender's property, in cases of murder. It will be remembered that, under the earlier legislation, the shedder of blood, according to a common custom among the Teutonic nations, had to pay to the representatives of the murdered man a compensation, which varied according to his rank of life, and which (though our information on the subject is not so precise as we could desire) was probably

small, when the victim was a man of low social position. Now, however, the king ordained that in all cases where one free man killed another, not in self-defence, but of malice aforethought, he should lose his whole property. The heirs of the murdered man took only his old *guidrigild*, and the balance left over went to 'the King's Court,' the residuary legatee of all fines and compositions. If, on the other hand, the murderer's property was insufficient to pay even the old *guidrigild*, he was handed over to the heirs of the murdered man, apparently not to be put to death by them, but worked as a slave[1].

Of course, even this punishment falls far short of those which our modern civilisation assigns to the crime of murder. Still we can see that, especially in the case of the rich and powerful, the effect of the new punishment would be far more deterrent than the old. Probably under the code of Rothari a Lombard noble might have killed a dozen free men of inferior position without seriously impairing his fortune, whereas now, after the first deed of violence of such a kind, he found himself stripped of everything. And thus the change introduced by Liutprand tended towards the equality of all men before the law, and was in the best sense of the word democratic. At the same time, while the

Guidrigild now used as a tariff of punishments.

guidrigild lost some of its significance on one hand, it gained it on the other. If it was less important as a protection against violence, it became more important as a penalty for crime. In the case of a nun's guardian who consented to her marriage[2]; of men who aided and abetted in an insurrection[3]; of forgery of a document[4]; of the preparation of a legal instrument by

[1] l. xvi. [2] l. xxx. [3] l. xxxvi. [4] l. lxiii.

a scribe ignorant of the law [1]; of breaking troth-plight, and giving to one man the affianced bride of another [2], the offender was bound to 'pay his own *guidrigild*,' which went in some cases to the King's Court, in others to the person injured by his offence. So, too, the officer of the crown who molested men in the enjoyment of their just right [3], the master of a fugitive slave who presumed to drag him away from the altar of a church [4], the man who committed an indecent assault upon a woman or who stole her clothes while she was bathing [5], the man who dared to marry the wife of another still living husband [6], each had to pay the full *guidrigild* which, under the old law, would have been payable by his murderer. There seems to be a certain sense of justice, rough perhaps, but still justice, in this provision of the Lombard legislator, who says in effect to the wealthy and noble members of the community, 'We will protect your persons by inflicting a heavier fine on him who assaults or molests you than on the assailant of a person of lesser rank: but on the other hand, if you transgress our laws, the penalty which you must pay shall be in the same proportion heavier.'

Liutprand gives us the missing table of *guidrigilds*.

In the laws of Rothari we had to regret the absence of any clear indication of the amount of *guidrigild* payable for the violent death of a member of each of the various classes of the community. King Liutprand gives us this missing detail, and as he does not profess to abrogate the law of his predecessor, he perhaps only re-states the previously existing custom. The law [7] is so important that it will be well to quote it entire:—

[1] l. xci. [2] l. cxix. [3] l. cxxxix. a. [4] l. cxliii.
[5] ll. cxxi, cxxxv. [6] l. cxxii. [7] l. lxii.

'We remember that we have already ordained that he who [of malice prepense] kills a free man shall lose the whole of his property; and that he who kills in self-defence shall pay according to the rank of the person slain [1]. We now wish to ordain how that rank is to be estimated.

'The custom is, that if the slain man is a person of the lowest rank, who is proved to be a member of the [Lombard] army [2], the manslayer shall pay 150 solidi: for an officer [3], 300 solidi. As concerning our followers [4], let him who is lowest in that rank be paid for, when slain, at the rate of 200 solidi, simply because he is our servant; and those of higher position, according to the dignity of their office, in an ascending scale up to 300 solidi [5].'

From this law we can at last form some idea of the estimation in which the lives of the different members of the Lombard community were held. We can hardly be wrong, however, in supposing that the 'army man' of King Liutprand's edict is necessarily a member of the conquering nation: and thus we get

[1] 'Secundum qualitatem personae.'

[2] 'Minima persona qui exercitalis homo esse inveniatur.'

[3] 'Qui prior est.'

[4] 'De gasindiis nostris.' The word 'gasindius' has probably a mingled meaning, derived from the original idea of *kinship* with the king, blended with the usage of the *comitatus* (see vol. iii. p. 256), and afterwards associated with the thought of *service in the king's palace.*

[5] As it was a common principle in the Teutonic codes that murder with premeditation should be charged for at double the rate of manslaughter in self-defence, Davoud Oghlou suggests that we may probably obtain the full *guidrigild* for murder 'asto animo,' as executed in the days of Rothari, by doubling the sums mentioned in this law of Liutprand.

no nearer to the solution of the old question, 'What *guidrigild*, if any, was paid by the murderer or the unintentional slayer of a free Roman?'

Non-Lombard population alluded to in these laws.

But though on this point the laws of Liutprand fail to give us the desired information, they do not so entirely ignore the existence of a non-Lombard population as was the case with those of Rothari. In the first place, it is noteworthy that nearly all the laws which relate to inheritance begin with the words '*Si quis Langobardus*,' evidently implying that there were other persons than Lombards in the country to whom these laws did not apply, and we naturally conjecture that these persons are the old Roman population, still working, as far as their own internal affairs are concerned, by the laws of Theodosius and Justinian.

Law of the Lombards; law of the Romans.

This conjecture becomes almost certainty when we read in Liutprand's law *De Scribis* [1], 'We have ordained that they who write deeds [2], whether according to the law of the Lombards (since that is most open, and known by nearly all men), or according to the law of the Romans, shall not prepare them otherwise than according to the contents of those laws themselves. For let them not write contrary to the law of the Lombards or that of the Romans. If they do not know the provisions of those laws, let them ask others who do, and if they cannot fully learn the laws, let them not write the deeds. Let any one who presumes to act otherwise pay his own *guidrigild*, unless there is some express understanding [of an opposite kind] arrived at by the parties [3].'

[1] l. xci.

[2] 'Chartulas.'

[3] This is the text of the first sentence of this important law:—'De Scribis hoc prospeximus, ut qui chartulas scribunt, sive ad

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Marriage of a Roman man and a Lombard woman.

It is quite in accordance with the indications thus furnished us, that we find it provided[1] that if any Roman married a Lombard woman, and acquired the *mundium* over her, she thereby lost the status of a Lombard woman. The sons born of such a union were Romans like their father, and had to 'live by his law'; and in case of her marrying a second husband without the consent of the heirs of the first husband, they had no right to claim damages (*anagriph*), nor to start a feud (*faida*) with the presuming consort[2].

We thus see that, under the Lombard kings, a beginning at any rate was made of the system of 'personal law,' a system which attained its full development under the Carolingian kings, under whom the various members of the same community, Franks, Lombards, Romans, each had the right of living under their own ancestral code of laws.

Signs of increased civilisation in the laws.

Lombard jurisprudence, though still crude, and in some respects barbarous, had evidently some germs of progress and improvement. We can perceive on the part of Liutprand an anxious desire to govern his subjects justly, and to carry their reason along with him in his various decisions. We see with satisfaction

legem Langobardorum, quoniam apertissima et pene omnibus nota est, sive ad Romanorum, non aliter faciant nisi quomodo in ipsis legibus continetur.'

[1] By l. cxxvii.

[2] 'Si quis Romanus homo mulierem Langobardam tulerit, et mundium ex eâ fecerit, et post ejus decessum ad alium maritum ambulaverit sine voluntatem heredes prioris mariti, *fahida* et *anagriph* non requiratur, quia postquam Romano marito copulaverit et ex eâ mundium fecit, Romana effecta est. Filii qui de tale matrimonio nascuntur secundum legem patris Romani fiunt, et legem patris vivunt: ideo *faida* et *anagriph* minime componere debent qui postea eam tulit, sicut nec de aliâ Romanâ.'

that he is prepared to accept for himself the same measure which he metes out to others. Thus, having ordained that a lad under the age of eighteen cannot, except under certain special circumstances [1], make a valid alienation of his property to another man, he passes a special law [2] enacting that not even to the king shall such a donation be valid.

Exaction by royal officers.

As the power of the king had increased, that of his representatives had increased also, and with their power, the temptations to corruption, the vices of civilization beginning to take the place of the vices of barbarism. There are many laws against oppression and exaction by the king's stewards (*actores*); and the penalties on the judge who merely delays the administration of justice are exceedingly severe [3]. Two classes of judges are here enumerated, the *sculdahis*, and above him the *judex*. If a *sculdahis* delayed for four days to administer justice when called upon to do so, he had to pay 6 solidi to the plaintiff, and 6 to the *judex* above him. If the cause was too high for the *sculdahis*, and was brought before the *judex*, he had six days' grace given him, and at the end of that time, if he had not pronounced judgment, he had to pay 15 solidi to the plaintiff. Or, if it was a case which

The law's delays.

[1] One of these excepted cases was where the lad's father had left debts, the interest of which was eating up the estate ('ut ei major damnietas *propter honorem solidorum* non accrescat'; l. xv al. xix). Another was where the lad was in danger of actually dying from hunger in a time of general famine ('de infantibus qui intra aetatem sunt . . . et a fame moriuntur . . . dum tempus famis fuerit licenciam habeant coram misso principis aut judice suo de terrâ aut de rebus suis vendere qualiter vivere possit,' &c.; l. cxlix).

[2] l. xcix.

[3] ll. xxi-xxv.

ought to be transferred to the King's Court, and the *judex* delayed doing so for twelve days, he had to pay 12 solidi to the plaintiff, and 20 to the king. Even the vast fortune of Lord Chancellor Eldon would scarcely have been sufficient to meet the continual levy of fines like these.

Wager of battle.

The old barbarous wager of battle ('*pugna per campiones*') still existed, but was viewed with suspicion and dislike by Liutprand. He does not scruple to imagine and provide for a case in which a man accused of theft has been vanquished in single combat, but stricter enquiry afterwards made by the king's representative (*publicus*) has established his innocence[1]. He declares that wicked persons would sometimes challenge a man to the combat in order to annoy and worry him, and therefore prescribes the form of oath which the challenger might be forced to take, and which was to the effect that he had reasonable grounds of suspicion, and did not give the challenge in malice, in order to weary him by the battle[2]. And in a very curious law[3] about accusations of poisoning he expresses himself even more strongly, saying in substance, 'We have now ordained that the punishment for the murder of a free man shall be the loss of the whole of the murderer's property: but certain men, perhaps through hardness of heart, have accused the relations of a man who has died in his bed of having poisoned him, and have therefore, according to the old

[1] l. lvi. In this case the composition for theft paid by the first accused had to be repaid to him, and claimed from the man who was eventually proved to be the offender.

[2] 'Et dicat juratus, quia non asto animo eum per pugnam fatigare quaerat' (l. lxxi).

[3] l. cxviii.

custom, challenged them to single combat. It seems to us a serious matter that the loss of a man's whole property should be caused by the weakness of a single shield: and we therefore ordain that in case any accusation of this kind should be brought in future, the accuser shall swear on the gospels that he does not bring it in malice, but has good grounds for his suspicion. Then he may proceed to battle according to the old custom, but if the accused person or his hired champion is defeated, let him pay, not his whole fortune, but a composition, as under the whole law, according to the rank of the murdered man:—For we are uncertain about the judgment of God, and we have heard of many persons unjustly losing their cause by wager of battle. But on account of the custom of our nation of the Lombards we cannot change the law itself[1].'

The old unwritten law (*cadarfida*).

In connexion with these allusions by Liutprand to the decaying jurisprudence of his ancestors, it will be well to notice one passage in which he quotes the ancient customs of his nation. Law lxxvii enacts, 'If two brothers, or a father and son, have divided their estate by solemn *thinx*[2], and one of them shall die without sons or daughters, let the King's Court

[1] 'Quia incerti sumus de judicio Dei, et multos audivimus per pugnam sine justiciam causam suam perdere, sed propter consuetudinem gentis nostrae Langobardorum, legem ipsam mutare non possumus.' Sir W. Scott might have read this sentence when he wrote the well-known lines:—

'Say, ye who preach Heaven shall decide
When in the list the champions ride,
Where was Heaven's justice then?'

[2] Apparently this must be the meaning of 'si duo fratres aut si pater et filius *thingati* fuerint.'

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succeed to him. We have ordained this because, though it be not precisely so set down in the edict [of Rothari], nevertheless all our judges and faithful subjects have declared that so the ancient *cadarfida* has ever been, down to our own time[1].' The passage is interesting, because we have here a glimpse of that unwritten common law of the Lombards, known by this strange and somewhat mysterious name *cadarfida*, by which, according to the *Chronicon Gothanum*[2], legal disputes were generally decided until Rothari arose, the first codifier of Lombard law.

Laws about women.

Space fails me to enumerate all the interesting particulars as to the social and domestic life of the Lombards, which may be gleaned from the laws of Liutprand. In particular, the numerous edicts relating to *women* would be well worthy of special study, showing as they do a decided upward tendency in the estimation in which they were held[3].

[1] 'Ideo autem sic scripsimus quia et si adfictum in edictum propriae non fuit, tamen omnes judices et fidelis nostri sic dixerunt quod *cadarfida* antiqua usque nunc sic fuisset.' The MSS. waver between 'cadarfida,' 'cawarfida,' 'quaderfia,' and other forms of the word.

[2] See vol. v. p. 148.

[3] Thus the very first of Liutprand's laws gives to the daughters of a man dying without legitimate male issue, the whole of their father's inheritance; modifying so far the law of Rothari, which, in such a case, gave a third of the property to bastard sons (if any), and a sixth to the nearest male collaterals.

In law cxx, which enumerates the injuries which constituted 'mala tractatio' from the *mundwald* (or keeper of the *mundium*) towards the woman under his protection, and which were punished by the loss of the *mundium*, it is interesting to note that she is called his *frea*, the same word of course as the German *frau*; but also the same as the name of the wife of Odin, who gave the Lombards the victory by her devices

Slaves.

Another proof of increasing softness of manners is afforded by the laws about *slaves*. Of course, the unfree condition of the slave and the *Aldius* still continues, but a new and effectual form of manumission is introduced, according to which the owner gives the slave into the hands of the king. The slave by the intervention of the priest is then 'led round the sacred altar,' and after that dismissed free. This solemn act of manumission, in which king and priest were associated on behalf of freedom, was to have as great efficacy as if the slave had been declared 'folk-free' by a regular *thingation*[1]. The slave who, after he had in this or any other way received his 'full freedom,' continued to serve his old master (out of gratitude or for wages), was warned that he would do well to make frequent opportunities for showing forth his freedom to the judge and to his neighbours, lest in time to come the fact of his emancipation should be called in question[2]. And if the owner of married slaves wronged the husband by committing adultery with the wife, he thereby emancipated both, as fully as if he had by solemn *thinx* given them their freedom. But in order that there might be no doubt of their emancipation, they were desired to come to the palace, prove their case, and receive their freedom at the hand of the king[3].

Manumission by king and priest.

Horses.

Though, as I have said, we have far fewer laws relating to the forest and the farm-stead than in the code of Rothari, it is evident that *horses* were a valued possession, and their ownership, as in all civilised

(see vol. v. p. 92). The wife of the Teutonic Jupiter was thus *The Woman.*

[1] l. ix. [2] l. lv. [3] l. cxl.

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communities, was a frequent cause of litigation. 'If a man wishes to buy a horse, he ought to do it in the presence of two or three men, and not secretly. Then, if afterwards any one should claim that horse, he will have these witnesses to appeal to, and shall not be liable to a charge of horse-stealing. But if the claimant of the horse does not believe such witnesses, let the defendant confirm his case by putting them on their oath, unless they be that kind of men whom the king or the *judex* would believe even without an oath. But if he cannot produce any witnesses in whose presence the transaction took place, and can but repeat simply "I bought it," *or if he says that he bought it from some Frank, or nobody knows whom,* he will have to pay the fine for horse-stealing[1].'

Religion.

We find in the code of Liutprand one or two interesting indications of the *religious* condition of the Lombards. Especially we have some almost savage legislation against soothsayers (*arioli*), whether male or female. Any one who himself consults such persons, or sends his slave to receive their answers, is to pay half of his own *guidrigild* to the king. The same heavy fine shall be paid by any *judex* or *sculdahis* or inferior functionary in whose district these soothsayers shall be lurking, if for three months he fail to discover and punish them. And if, when they have been detected and denounced, such functionary, either for a bribe, or out of pity, or for any other reason, lets them go, he shall pay not the half, but the whole of his *guidrigild* to the king. As a further incentive to

Soothsayers.

[1] 'Nisi simpliciter comparavit, et dixerit quod Franco aut nescio de qualem hominem comparasset, componat ipsum caballum pro furtum' (l. lxxix).

diligence, the *judex* is ordered to sell the convicted soothsayer out of the province as a slave, and allowed to put the proceeds of the sale into his own pocket.

Idolaters.

In the course of this legislation we are informed that (as at Benevento in the time of St. Barbatus) there were still some country folk who worshipped a tree or a fountain, calling it their *sacramentum*; and the punishment for these superstitious rites was the same as that for consulting soothsayers, the payment of half a man's *guidrigild* 'to the sacred palace[1].'

It is time to draw this slight and imperfect sketch of Liutprand's legislation to a close, but the reader may be interested by three or four of the most characteristic laws, which seem to show us the great king sitting in council with his judges, and hearing and resolving the harder cases which were brought before him.

Inciting a slave to murder his master.

Law cxxxviii. *Incitement to murder by a slave.*—'We have been truly informed that a certain man, by the instigation of the devil, said to another man's slave, 'Come and kill thy lord, and I have it in my power to grant thee whatsoever favour thou shalt desire.' Persuaded by him, the lad entered into the evil design, and the tempter was wicked enough to say in the very presence of the victim, 'Strike thy lord.' For his sins the slave struck the blow, and the other said, 'Strike him again. If thou dost not, I will strike thee.' Then the lad turned round and

[1] 'Simili modo et qui arborem quam rustici sacramentum suum vocant atque ad fontanam adoraverit . . . medietatem pretii sui componat in sacro palatio' (l. lxxxiv).

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struck another blow, whereupon the master died. In the requisition for blood, it was argued [on behalf of the tempter] that he ought to pay only the composition for conspiring against life [*consilium mortis*, the fine for which was 20 solidi], but we and our judges were not at all satisfied with this argument, reflecting that conspiracy is a hidden thing, which sometimes attains its end, and sometimes misses it. But *this* murder was instigated in the actual presence of the victim, and we do not call it 'consilium' when a man points to another, present before him, and says in so many words, 'Strike that man.' Therefore the instigator of the crime shall be punished, not for *consilium mortis*, but for murder itself; and, according to our recent edict, shall forfeit the whole of his property, of which half shall go to the heirs of the murdered man, and half to the King's Court.'

Stealing a woman's clothes.

Law cxxxv. *Insult to a woman.*—'It has been reported to us that a certain perverse man, while a woman was bathing in a river, took away all the clothes which she had for the covering of her body; wherefore, as she could not remain in the river for ever, she was obliged to walk home naked. Therefore we decide that the hateful man who has been guilty of this presumptuous deed, shall pay his whole *guidrigild* to her whom he has offended. We do so for this reason, that if her father, or brother, or husband or other near male relative had found that man, there would undoubtedly have been a breach of the peace (*scandalum*), and the stronger of the two would probably have killed the other. Now it is better for the wrongdoer to live and pay his own *guidrigild*, than to die, and cause a *faida* to those who come

after him, or to kill and lose the whole of his property[1].'

Power to a father to prefer a faithful son.

Law cxiii. *Testamentary power.*—'If any Lombard[2] should wish to make any special provision for a son who has served him well, he may have power to do so to the following extent. If he has two sons, he may favour the one who has shown him godly obedience by an extra third of the property; if he has three sons, by a fourth; if four, by a fifth, and so on. And if they have all served him equally well, let them partake equally of their father's substance. But if perchance the father have married a second or a third wife, and have issue both by the earlier and later marriages, he shall not have the power of thus preferring any one of the children of the later marriage during their mother's lifetime, lest any should say that it is done at her instigation. But after her death he shall have power to prefer as aforesaid. For we think it is according to God's will (and to right reason), that if, even between slaves, he who serves his master well is more rewarded than he who serves him badly, the father should have a similar power of distinguishing between his sons, and rewarding them according to their deserts.'

Brawling women.

Law cxli. *Women incited to brawling by their husbands.*—'We have been informed that some faithless and crafty men, who do not dare themselves to enter a neighbouring house or village and raise a disturbance there, for fear of the heavy composition to

[1] I have slightly expanded the last sentences, but the legislator's meaning is sufficiently clear.

[2] The Roman would probably be governed in his testamentary dispositions by the law 'de inofficioso Testamento.'

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which they are liable for such an offence, have called together all the women over whom they had power, both free and bond, and have sent them against a weaker body of men. Then these women, attacking the men of such town or village, have inflicted blows upon them, and made greater disturbance, and done more mischief than even men would have done in their place. But when enquiry was made into the tumult, the men who were on the defensive, and could not help themselves, were called to account for their unwilling violence.

'Therefore we decree that should the women dare to act in this manner in future: (1) Those who have defended themselves against them shall not be answerable for blows or wounds, or death itself, either to the husbands or the *mundwalds* of the women [1].

'(2) Let the magistrate (*publicus*) in whose district the tumult has happened, catch those women, and shave their heads, and distribute them among the villages round about, that henceforward women may learn not to do such presumptuous deeds.

'(3) Should the women in such a brawl inflict blows or injuries on any one, their husbands must pay for them according to the tenour of [King Rothari's] edict.

'Our reason for making this ordinance both as to the chastisement of the women and as to the payment of their compositions is, that we cannot liken such a [craftily planned] assemblage of women to a faction fight, or sedition of peasants, since in those outbursts men act, not women [2].'

[1] Repealing so far law 379 of King Rothari as to composition payable for a woman killed in a brawl.

[2] 'Hoc autem ideo prospeximus tam de disciplinam quam et

I will end this chapter with two little incidents of village life drawn from the laws of Liutprand.

Accidental death at a well.

Law cxxxvi. *Death by misadventure at a well.*—'It has been told us that a certain man had a well in his courtyard; and above it (according to custom) a fork and a balance-weight [1] for drawing water. Now while one man was standing under the balance-weight, another, who came to draw water, incautiously let the balance-weight go, and it came upon him who was standing there, and caused his death. When enquiry into the death took place, and a demand for the composition was made, it was held by us and our judges that the man who was killed, as he was not a mere animal, but had sense and reason, ought to have considered beforehand where he would take up his station, and what was the weight which he saw over his head [2]. Therefore two-thirds must be deducted from his composition, and the third part of the sum at which he is valued, according to the tenour of the edict, shall be paid by him who drew the water carelessly, to the sons or nearest relations of the dead man: and so let the cause be finished without guile and without *faida*, since the deed was done unwittingly. Let there be no charge brought against the owner of the well, for if such a charge be admitted, no one hereafter will

de composicionem quia nos non potuimus mulierum collectionem ad *hariscild* adsimilare neque ad seditionem rusticanorum quia istâ causâ viri faciunt nam non mulieres.' Hariscild is said by Meyer to be 'Heerschild als Zeichen kriegerischen Aufgebots.'

[1] 'Furcam et tolinum ad hauriendam aquam.'

[2] 'Ita nobis et nostris judicibus rectum paruit esse, ut ipse homo qui ibi demortuus est, quia non fuit animal, sed sensum racionabilem habuit, prospicere debuit in quale locum se ponere ad standum, aut quale pondum super se videbat esse.'

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allow others to draw water from his well; in which case, since all cannot be the owners of a well, many poor persons will die, and wayfarers also will suffer great hardship.'

Death of a child from a horse's kick.

Law cxxxvii. *Death of a child from a horse's kick.*—'It has also been reported to us that a certain man lent his mare to another man to draw his waggon, but the mare had an unbroken colt which followed its mother along the road. While they were thus journeying, it chanced that some infants were standing in a certain village, and the colt struck one of them with his hoof, and killed it. Now when the parents brought the matter before us, and claimed compensation for the infant's death, we decided, after deliberation with our judges, that two-thirds of the child's *guidrigild* [1] should be paid by the owner of the colt, and the remaining third by the borrower of the mare. True it is that, in a previous edict [2], it was ordained that if a horse injures any one with his hoof, the owner shall pay the damage. But inasmuch as the horse was out on loan, and the borrower was a reasonable being, and might, if he had not been negligent, have called out to the infants to take care of themselves,—therefore, as we have said, for his negligence he shall pay the third part of the child's price.'

With this sensible decision we take leave of Liutprand the legislator and the judge, and turn to consider the events of the age in which he had to play his part as a warrior and a statesman.

[1] 'Precii qualiter ipse valuerit.'

[2] Rothari, 325 and 326.

NOTE D. PRICES UNDER THE LOMBARD RULE.

OF course in order to estimate aright the deterrent effect of the money penalties which crowd the Lombard statute-book, we ought to know what was the purchasing power of the *solidus aureus* (twelve shillings) at this time. Our information on this point is necessarily vague. The fact that the average value of a slave (as denoted by his *guidrigild*) varied from 50 solidi down to 16, gives us some light on the question. In the year 725, we find the honourable woman Ermendruda selling for 12 golden solidi 'the boy Saoretanus, or whatever other name he may be known by in his own country Gaul' (Troya, iv. 3. 406). The documents copied in Troya's 'Codice Diplomatico Langobardo,' vol. iv, give us several transactions relating to the sale of land, but information as to the extent of the land thus sold is generally wanting, and where it is given I do not venture to estimate the quantity of the Lombard land measures.

(p. 54.)	A new oliveyard near Farfa is sold for	8 solidi.
	Twelve *Olivae Talliae* (?) are sold for. .	12 solidi.
(p. 253.)	A *sala* and half of a meadow, and a mill at Pistoia, are sold for . . .	100 solidi.
(p. 286.)	Half of a house in Pisa	9 solidi.
(p. 295.)	A garden at Lucca	50 solidi.
(p. 425.)	A portion of an '*areale*' at Trevigi .	5 solidi.
(p. 520.)	Land in Pisan territory	15 solidi.
(p. 523.)	" " (Sextariorum quindecim)	15⅓ solidi.
(p. 534.)	" "	6⅓ solidi.
(p. 613.)	Eleven *Olivae Talliae* near Farfa . .	6 solidi.
(p. 618.)	A dwelling in the 'castellum' of Uffrum near Luna	20 solidi.
(p. 642.)	Land in the valley of the Serchio . .	25 solidi.
(p. 649.)	Land in Val d'Arno (tres *scaffilii*) . .	8 solidi.
(p. 656.)	Vineyard in the valley of the Serchio (sold by Justus, a goldsmith, to Abbess Ursa)	6 solidi.
(p. 672.)	House and vineyard in Toscanella (sold by Rodbert, *magister comacinus* or master mason)	30 solidi.
(p. 685.)	Share of vineyard in Tuscany . . .	2 solidi.

NOTE D.

(p. 695.)	Little piece of land ('aliquantula terrula mea'), a little less than one '*modilocus*,' also in Tuscany, sold by Ermelinda, a nun	13 solidi.

It will be observed that all these sales (which extend in time from the year 704 to 740) relate to property in Tuscany, and therefore they may probably be taken as representing the top-prices of Italian land.

For movable property, which evidently commanded what is, according to our ideas, an enormous price relatively to the price of land, we have an exceedingly interesting document quoted by Troya (p. 658). In it the Abbess Ursa informs her nephew what is the property which he is entitled to under his mother's marriage settlement:—

'I, Ursa, make a memorandum (memoraturium) to you my nephew, as to your mother's *morganicap*. In the first place,

A bed	10 solidi.
Three female slaves, Magnifredula, and Magnitrudu, and Musiula	300 solidi.
A tunic	10 solidi.
A mantle (mantu)	10 solidi.
A nuari (?)	300 solidi.
A horse with trappings (caballus stratus) . .	100 solidi.
A house at Valentio in Veturiana (and perhaps another house and the moiety of one, but this part of the memorandum is obscure) . .	100 solidi.'

('Solidus tricenta,' twice repeated in the document, must apparently be taken as = trecenti, not triginta). Evidently personal property at this time was far more valuable, relatively, than real property. But even so, our study of the document in Troya leaves us with the impression that fines ranging, as did these of the Lombard code, from 300 to 900 solidi, would fall with crushing weight on all but the very wealthiest classes of the community.

As further illustrating the same subject, it may be mentioned that in the law passed to prevent the giving of extravagant marriage portions, the *judex* is forbidden to give his wife a *meta* of more than 400 solidi, and the ordinary noble is not allowed to give more than 300, while (apparently) all other classes of the community are limited to 200.

CHAPTER XI.

ICONOCLASM.

Authorities.

Sources:—

Our chief authorities here are THEOPHANES and NICEPHORUS, who were both born in the year 758. The former died about 817, and the latter in 828. They are thus all but contemporary authorities for the period now under review, and as far as the outline of persons and events at Constantinople is concerned, they may be safely trusted. The colour which they give to them must be regarded with much more suspicion, for both were ecclesiastics passionately committed to one side of the iconoclastic controversy, the opposite side to that taken by Leo III and Constantine V. Theophanes especially can scarcely speak of either Emperor without prefixing an 'impious' to his name. The lives of these two men give us a vivid picture of the religious history of the times.

Theophanes, a nobleman of Constantinople, a relation of the Emperor and an officer in the Imperial guard, lived a monastic life notwithstanding a nominal marriage, and like Gregory the Great turned his ancestral estates into convents, of one of which he became abbot. At the Second Council of Nicaea (Seventh General Council, 787), whither he proceeded on an ass and clothed in a garment of hair, he vehemently defended the worship of images. Under Leo the Armenian (813–820), as he refused to conform to the dominant iconoclasm, he suffered imprisonment and exile, and eventually died in the island of Samothrace, whither he had been banished. His sufferings in the cause of image-worship procured him the title of Confessor.

Nicephorus, who is also sometimes called Confessor, but more commonly, from his office, Patriarch, was also of noble birth,

and held the high position of *Notarius* under Constantine VI and his mother Irene. He too was present and defended the cause of the image-worshippers at the Second Council at Nicaea. After spending some years in a convent he became in 806 Patriarch of Constantinople, but on account of his opposition to iconoclasm was deposed by Leo the Armenian in 815. The discussions between Patriarch and Emperor which preceded this deposition are narrated at some length by the biographer of the former, Ignatius. Nicephorus was allowed to re-enter the monastery of St. Theodore, on an island in the Sea of Marmora, where he had dwelt previous to his elevation to the Patriarchate, and died there after more than thirteen years of seclusion, on the 2nd of June, 828.

His 'Apologeticus pro Sacris Imaginibus' and other controversial works on the question of iconoclasm are very voluminous[1], but are considered to present the best-argued case of any of the writers on that side of the controversy. For historical purposes the short but careful work called 'A Concise History from the Reign of the Emperor Maurice[2]' is his most important production. It extends from the death of Maurice (602) to the marriage of Leo IV and Irene (768).

For a discussion of the sources (evidently to a large extent identical) from which Theophanes and Nicephorus drew the materials for their histories, and of the relation of these two writers to one another, see Bury, ii. 281 and 352. It should be noticed that Theophanes, though valuable and to a certain extent trustworthy for the events happening in the Eastern Empire, is extremely ill-informed as to transactions in Western Europe. He places the flight of Pope Stephen into France in the year 725, twenty-five years before that Pope's elevation. He knows nothing of Pope Gregory III, and makes Zacharias the immediate successor of Gregory II, whose elevation to the Papacy he dates in 725 instead of 715. Strangest of all his errors, he makes Constantine, the one Pope about whom he might have been expected to be well-informed by reason of his triumphal entry into Constantinople, succeed to the pontificate in 762,

[1] With the Latin translation appended they occupy 340 closely printed pages of Migne's Patrologia.

[2] Ἱστορία σύντομος ἀπὸ τῆς Μαυρικίου βασιλείας.

fifty-four years after the true date. After these blunders we are hardly surprised to find that Theophanes attributes Charles Martel's great victory over the Saracens to his son Pippin the Short. Evidently for Western affairs Theophanes is no safe guide, and this is the more unfortunate because he has been extensively copied by later Greek historians, especially Cedrenus[1].

Another source of some importance is the VITA S. STEPHANI JUNIORIS, composed by his namesake the deacon Stephen in the year 808, forty-two years after the martyrdom of Stephen the Monk under the reign of Constantine Copronymus. Like most of the ecclesiastical biographies of the time it is intolerably diffuse, passionate and one-sided, but it is possible to extract from it a few grains of valuable historical information.

Guides:—

Gibbon (chapter xlix); *Milman*, 'History of Latin Christianity' (Book iv. chap. vii: an admirable review of an important controversy); *Bury*, 'History of the Later Roman Empire' (Book vi: it should be observed that I generally accept his reconstruction of the chronology of the period); *Schlosser*, 'Geschichte der Bilderstürmenden Kaiser,' and *Finlay*, 'History of the Byzantine Empire' (Book I). The two last-named authors were the first to call attention to the great political merits of the much maligned Isaurian Emperors.

On the purely ecclesiastical aspects of Iconoclasm useful light is thrown by *Hefele's* 'Conciliengeschichte,' vol. iii: but his acceptance of the so-called letters of Gregory II to the Emperor Leo III detracts, according to my view of the case, from the soundness of his conclusions.

IN tracing the history of the Lombard kings and that of the contemporary Popes and Emperors we have now overstepped the threshold of the eighth

[1] It should be mentioned that Theophanes gives us for the events related by him both 'the year of the world' (placing the Creation at 5500 B.C.) and the year from the Birth of Christ. As however his A.D. differs from that now in general use by a period of seven or eight years, it is more convenient in references to him to quote the *Annus Mundi*.

BOOK VII. Ch. 11.

century. I do not propose to give an outline of the European history of this century as I did of its predecessor: in fact, only half of it will be traversed before the end of this volume is reached: but something may be said here as to the four greatest events by which it was distinguished. These are the Mohammedan conquest of Spain, the assumption of the title of King of the Franks by an Austrasian Mayor of the Palace, the conversion of the Germans beyond the Rhine, and the Iconoclastic Controversy. On examination we discover that almost all of these events had a close connection with one another, and that they unconsciously conspired towards one great result, the exaltation of the power of the Roman pontiff. St. Boniface, Charles Martel, Muza, and Leo the Isaurian, each in his different sphere co-operated towards the creation of that new, mediaeval Europe at the head of which was the Pope of Rome, a very different person politically from his predecessors, all of whom, whether great or small, had been the submissive subjects of the Eastern Caesar.

Saracen conquest of Spain, 711.

(1) In 711, a year before Ansprand returned from his long exile in Bavaria and wrested the kingdom from Aripert, Tarik with his host of Arabs and Moors crossed the Straits which have ever since borne his name[1], defeated Roderic king of the Visigoths in the battle of Xeres de la Frontera, and began that conquest of Spain which was completed by his superior the Arabian Emir of Cairwan, Muza. We cannot help feeling some surprise at the small apparent effect

[1] Gibraltar = Jebel Tarik, the mountain of Tarik. See p. 5 of this volume, where this event has already been slightly alluded to.

produced on the rest of Europe by the loss of so important a member of the great Christian commonwealth. Paulus Diaconus devotes but one short dry sentence[1] to the conquest of Spain, and the *Liber Pontificalis* mentions it not at all. One would say that the heresy of the Emperor Philippicus and his disfigurement of the picture of the Sixth Council at Constantinople affected the minds of the people of Rome more profoundly than the conquest by Asiatics of one of the finest regions of Western Europe. And yet that slow and difficult re-conquest of Spain by the refugees in the mountains of the Asturias, which, as we know, did eventually take place, can hardly have been foreseen by these writers, since it was more than three centuries before half of the peninsula was recovered, and nearly eight centuries before 'the last sigh of the Moors' bewailed their expulsion from their lovely Granada.

1492.

Saracen invasion of Gaul.

In the first fervour of their conquering zeal the Saracens crossed the Pyrenees and made the Gothic provinces of Septimania their own. Many students of history hardly realise the fact that for something like half a century parts of Languedoc and Provence were actually subject to the Moorish yoke, that Narbonne, Arles, and Avignon all heard the Muezzin's cry, and called at the hour of prayer on Allah the Merciful and the Mighty.

716 (?)–759.

Resistance to the Saracens.

It did not however need fifty years to reassure affrighted Europe by the conviction that Gaul would at any rate not fall as easy a prey as Spain to the turbaned hordes of the believers in the Prophet. Already in 721 the valiant Eudo of Aquitaine defeated

[1] H. L. vi. 46.

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them in a bloody battle under the walls of Toulouse, and eleven years later, after he himself had been vanquished, the remnant of his troops shared in the glorious victory which the stout Austrasians from beyond the Rhine achieved under the leadership of Charles Martel on the plains of Poictiers, not far from the spot where, two hundred and twenty-five years before, the battle of the Campus Vogladensis gave to the Frank instead of the Visigoth the dominion over Southern Gaul.

by Eudo of Aquitaine,

by Charles Martel. 732.

Charles Martel and the uprise of the Arnulfings.

(2) This battle of Poictiers was, as every one knows, one of 'the decisive battles of the world,' as important as Marathon or Salamis for the decision of the question whether Asia or Europe was to be the chosen home of empire in the centuries that were to follow. And for the victory thus won by Christendom over Islam, Europe was mainly indebted (and well did she know her obligation) to the bright and vigorous personality of Charles, surnamed the Hammer. When his father Pippin 'of Heristal[1]' died, the Frankish kingdom seemed to be falling asunder in ruin, a ruin even more hopeless, as springing from internal dissensions, than the collapse of Visigothic Spain. Aquitaine, Thuringia, Bavaria, all the great subordinate duchies were falling off from the central monarchy; Neustria and Austrasia were becoming two hostile kingdoms; and, to complete the confusion, the aged Pippin, passing by his son Charles who was in the vigour of youthful manhood, had bequeathed the Mayoralty of the Palace, as if it had been an estate, to his little grandson Theudwald, a child of six years old, under the regency of his mother

714.

[1] See p. 4.

Plectrude, by whose evil counsel this unwise disposition had been made. A Merovingian king[1], incapable as all these later Merovingians were of doing a single stroke of business on his own account, a baby Prime Minister, with a greedy and unscrupulous woman as regent over him,—these were certainly poor materials out of which to form a strong and well-compacted state. But the young Charles, whom his step-mother had only dared to imprison, not to slay, first escaped from his confinement, then defeated the rival, Neustrian, Mayor of the Palace[2], got hold of a Merovingian child[3], and in his name ruled, like his father, as Mayor of the Palace over the three kingdoms, Austrasia, Neustria, and Burgundy. He subdued the savage Frisians, set up in Bavaria a duke who was willing to be his humble dependent, chastised Eudo of Aquitaine (who was aiming at independence and had well-nigh acquired it), and then having chastised, assisted him as we have seen, and protected his territory against the overflowing flood of Moorish invasion. Consolidator of France and saviour of Europe, Charles Martel was the real founder of the Arnulfing or Carolingian dynasty. But warned by the fate of his great-uncle Grimwald[4], he did not himself stretch forth a hand to grasp the regal sceptre. As long as his puppet lived, he left him the name and the trappings of royalty. When that puppet died, he did not indeed think it worth while to replace him by a successor, yet he did not change his own title. For the last four years of his life (737–741) there was literally 'no king in the land'; a Mayor of the royal Palace, but no king inside it.

[1] Dagobert III.

[2] At Vincy, 717.

[3] Theodoric IV (720–737).

[4] See p. 3.

Charles Martel, 715-741. Liutprand, 712-744. 751.

The reign, for such we may truly call it, of Charles Martel was nearly contemporaneous with that of Liutprand, with whom he had much intercourse, all of a friendly kind. The chain of events which enabled his son Pippin to assume the name as well as the reality of kingly power, and which brought him over the Alps to interfere in the affairs of Italy, will have to be related in a future volume. We only note them here as truly central events in that eighth century upon which we have now entered.

Conversion of Germany by English missionaries.

(3) Politically the eighth century is one of the least interesting in English history. The great days of the Northumbrian kingdom are over, and the day of Wessex has not yet dawned. But from a literary or religious point of view the century is more attractive. During the first third of its course Baeda, decidedly the most learned man of his time, perhaps we might say the most learned man of all the early mediaeval period, was compiling his text-books, his commentaries, and his Ecclesiastical History of the English nation. And at the same time the English, who so lately had been receiving missionaries from Rome and from Iona, were sending out missionaries of their own, able, energetic and courageous men, to convert the still remaining idolaters of Germany. Chief among these missionaries were the Northumbrian Willibrord, who for forty years laboured for the conversion of the Frisians, and the Devonshire-man Winfrith, who received from the Pope the name of Boniface, and who from 718 to 753 wrought at the organisation of the half-formed Churches of Bavaria and Thuringia, preached to the heathen Hessians, hewing down an aged oak to which they paid idolatrous

Willibrord and Boniface.

reverence, directed from his Archiepiscopal see at Maintz the religious life of all central Germany, and finally in his old age received the martyr's crown from the hands of the still unconverted Frisians. This great work of the Christianisation of Germany is alien to our present subject, and must not here be further enlarged upon, but it may be noticed how closely it was connected with the other leading events of the eighth century. It is not improbable that the zeal of these English missionaries was partly quickened by the tidings of the rapid advances of Mohammedanism [1]. It is certain that the work of proselytism was aided by the arms of Pippin and Charles Martel. As their frontier advanced across the Rhine, Christianity went forward: where it fell back for a time, heathenism triumphed, and the missionaries became the martyrs. The close connection of the German mission with the exaltation of the Arnulfing house is symbolised by the fact that Boniface either actually took part in the coronation of Pippin, or at least used his powerful influence with the Pope to bring about that result. And lastly, it is obvious how greatly the addition of the wide regions between the Rhine and the Elbe to the area of Western Christendom must have

[1] This is the opinion of Ranke, whose gaze over the wide field of world-history is so true and piercing. 'We ought not to consider the Christianisation of Germany only from the point of view of religious belief and teaching. However important these may be, it was of world-historical importance that some counteracting influence should be prepared against Islamism, which was pressing ever deeper and deeper into the continent of Europe. Boniface knew right well what had happened in Spain: the work of conversion which he was carrying on was the chief cause why the same events did not repeat themselves in Gaul and Germany' (Ranke, 'Weltgeschichte,' v. 1. 286–7).

strengthened the authority of the Pope. The Byzantine Emperor in his dwindling realm, hemmed in by Saracens and Bulgarians, might issue what decrees he would to his servile Greek diocesans. Here in Western Europe, in England and in Germany, were mighty nations, young and full of conscious strength and promise of the future, who had received their Christianity from the hands of devoted adherents of the Pope, and would recognise no authority but his.

The Iconoclastic Controversy.

(4) This thought brings us to the last great event of the eighth century, the outbreak of the Iconoclastic Controversy. This will need a somewhat more detailed notice than the others.

Accession of Leo III (the Isaurian), 717.

To the shadow-Emperors whose reigns filled six anarchic years after the death of Justinian II succeeded, in March, 717, Leo III, commonly called Leo the Isaurian. Here was at last a man at the helm of the State, and one who, though his name is scarcely ever mentioned without a curse by the monkish chroniclers of the time, came at the fortunate—I would rather say at the Providential—moment to save Eastern Europe from the Saracen yoke, and to preserve for Christianity in any shape, whether enlightened or superstitious, some influence on the future destinies of Europe[1]. Leo (whose original name is said to have

[1] There is a certain correspondence between the careers of Leo III and Charles Martel. Both came to supreme power after a time of anarchy and bewilderment in their respective countries; both dealt crushing blows at the Saracens and saved Europe from their onward advance; and both were censured by ecclesiastical writers, Leo for his iconoclasm, Charles for the high-handed way in which he appropriated Church property in order to reward his veterans. (See the passages in Waitz's Verfassungsgeschichte, iii. 16, 2nd ed.)

been Conon) was borne in Asia Minor, either at Germanicia in Commagene[1], or, as is more probable, in those Isaurian highlands which in the fifth century sent adventurers to Constantinople to disturb and trouble the Empire[2], but now sent a race of heroes to deliver it. The year of his birth is not apparently mentioned, but we may conjecture it to have been somewhere about 670. In his youth he and his parents were removed from their Asiatic home to Mesembria in Thrace, and here, when Justinian was marching with his Bulgarian allies to recover his throne, Leo met him with a present of 500 sheep. The grateful Emperor rewarded him by a place in his life-guards, and announced that he regarded him as 'one of his true friends[3].' Before long, however, jealousy and suspicion entered his soul, and he sent his 'true friend' on a desperate mission to the Alans in the Caucasus, a mission which occupied several years, and from which only by the exercise of extraordinary ingenuity as well as courage did he at last return alive[4]. When he returned to the abodes of civilised men he found Justinian deposed and Anastasius reigning, who appointed him general of the Anatolian theme. In this district, which comprehended the central portion of Asia Minor, Leo for some years, by guile rather than force, kept at bay the Saracen general Moslemah, brother of the

705.

[1] About 100 miles north-east of Antioch.

[2] See vol. iii. pp. 39–40.

[3] Καὶ εἶχεν αὐτὸν ὡς γνήσιον φίλον (Theophanes, A. M. 6209).

[4] Prof. Bury (ii. 375–378) extracts from Theophanes the curious description of Leo's adventures in Alania. The work of the chronicler would have been more interesting if he had explained with what motive anything was done by any of the actors in the story.

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716.

Caliph, who was threatening the city of Amorium. It was known that the Saracens were preparing for a grand assault on Constantinople, and it was generally felt that the so-called Theodosius III, a government clerk who had been forced against his will to assume the purple, was quite unable to cope with the emergency. In the autumn of 716 Leo proclaimed himself a candidate for the diadem and the avenger of his patron Anastasius, who had been deposed by the mutinous authors of the elevation of Theodosius. After defeating the Emperor's son at Nicomedia, and apparently spending the winter in Bithynia, he moved on to Constantinople, where the Patriarch and the Senate welcomed him as Emperor. There was no further conflict: Theodosius recognised his unfitness for the diadem, and having with his son assumed the clerical garment, retired into safe obscurity.

The Saracens besiege Constantinople.

The change of rulers had come only just in time to save the state. By the 1st of September, 717, the fleets and armies of the Saracen Caliph, constituting an armament apparently more formidable than that which Moawiyah had sent against the city forty years before, appeared in the Sea of Marmora. It is not necessary to give here the details of this memorable siege, in which, as in Napoleon's Russian campaign, fire and frost combined to defeat the forces of the invader. The besieged sent their ships laden with 'Greek fire' into the fleet of the affrighted Saracens, burning many of their vessels and striking panic into the crews which escaped. The wind blew cold from Thrace; frost and snow covered the ground for a hundred days, and the camels and cattle of the besieging army perished by thousands. Famine followed as the natural conse-

quence; the Saracens fed on disgusting preparations of human flesh, and pestilence of course followed famine. Upon the top of all their other calamities came an onslaught of the Bulgarians, who in this extremity of danger were willing to help their old foe, the Caesar of Constantinople. At length on the 15th of August, 718, the remnants of the once mighty armament melted away; the cavalry from the Bithynian plain, and the ships from the waters of the Bosphorus. Constantinople was saved, and the Paradise promised to the first army of the faithful that should take the city of Caesar was not yet won.

718.

Great qualities of Leo III.

It was no marvel that such a great deliverance should be attributed to supernatural causes, and especially, by the monkish historians, to the prayers of the Mother of God. But it is certain that the statesmanlike foresight, the mingled astuteness and courage of the great Isaurian Emperor, had also much to do with the triumph of Christendom. As soon as the Saracen invader was repelled, he began that reorganisation of the Empire to which adequate justice was not rendered till our own day, and one of the chief monuments of which is the *Ecloga*, a kind of handbook of Imperial law for the use of the people, which has lately attracted the careful and admiring study of European jurists[1].

[1] I take the word 'handbook' from Prof. Bury. 'Leo met the imperative need of his subjects by preparing a handbook in Greek for popular use, containing a short compendium of the most important laws on the chief relations of life. It was entitled an *Ecloga*, and was not published until the last year of Leo's reign (740), but doubtless several years were spent in its preparation, which involved long preliminary studies' ('Later Roman Empire,' ii. 412).

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Rebellion of Sicily.

Thus early in his reign Leo was called upon to face the rebellion of a Western province, the result doubtless of the miserable anarchy into which the State had been plunged by his predecessors. The Duke of Sicily, who was an officer of high rank in the Imperial guard named Sergius, hearing of the siege of Constantinople by the Saracens, decided to create an Emperor of his own, and invested with the purple a certain Sicilian, sprung from Constantinople, named Basil, to whom he gave the Imperial name of Tiberius. For a short time the new Emperor played at promoting officers and appointing judges under the advice of his patron Sergius; and then Paulus, the *cartularius* of the Emperor Leo, arrived, apparently with a single ship and with a letter from his master, in the harbour of Syracuse. The mere news of his arrival was sufficient. The conscience-stricken Sergius escaped to the Lombards of Benevento. The Sicilian army was collected to hear the 'sacred' letter read, and when they received the tidings of the destruction of the mighty armaments of the Saracens they burst into loud applause and gladly surrendered Basil and his new-made courtiers into the hands of Paulus. The usurper and his general-in-chief were at once beheaded. Of his adherents, some were flogged, others were shaved as priests, others had their noses slit, others were fined and sent into banishment, and thus order reigned once more in Sicily [1].

The first eight years of the reign of Leo seem to have passed, with the exception of this trifling rebellion in Sicily, in internal peace and tranquillity, though not undisturbed by wars with the Saracens, notwithstanding the repulse of their great Armada.

[1] Theophanes, A.M. 6210.

Religious zeal of Leo.

Thus far he had done nothing to tarnish his fair fame to which he was entitled from ecclesiastical historians as a zealous defender of the Christian world against the warriors of Islam; nay, he had even given proof of his orthodoxy after the fashion of the age by vain attempts to compel Jews and heretics to enter the fold of the Church. The Jews outwardly conformed, but in secret washed off the water of baptism as an unholy thing. The Montanist heretics, in whom still lived the uncompromising spirit of their great predecessor Tertullian, solemnly assembled on an appointed day in their churches, and gave themselves over to the flames, rather than abandon the faith of their fathers.

Beginnings of Iconoclasm.

At last in the ninth year of his reign Leo began that warfare against images by which, even more than by his gallant defence of Constantinople, his name is made memorable in history. Strangely enough this attempted revolution in ecclesiastical polity seems to have been connected with, perhaps derived from, a similar attempt on the part of a Saracen ruler. Yezid II, the Ommiade Caliph of Damascus (720–724), had received, according to Theophanes, an assurance from a Jewish magician of Tiberias that his reign should be prolonged for thirty years if he would only compel his Christian subjects to obliterate the pictures in their churches. His brother and predecessor, Caliph Omar II, had already enforced on the Christians one precept of the Koran by forbidding them the use of wine [1], and now Yezid would enforce another of the Prophet's commands by taking away from them temptations to idolatry. His attempt failed, and as his promised thirty years ended in an early death after a reign of

Story of Yezid II.

[1] Theophanes, A.M. 6210.

only four years, his son Welid II put the lying soothsayer to death[1]. The story is probably more or less fabulous, but contains this kernel of truth—that it was the contact with Mohammedanism which opened the eyes of Leo and the men who stood round his throne, ecclesiastics as well as laymen, to the degrading and idolatrous superstitions that had crept into the Church and were overlaying the life of a religion which, at its proclamation the purest and most spiritual, was fast becoming one of the most superstitious and materialistic that the world had ever seen. Shrinking at first from any representation whatever of visible objects, then allowing herself the use of beautiful and pathetic emblems (such as the Good Shepherd), in the fourth century the Christian Church sought to instruct the converts whom her victory under Constantine was bringing to her in myriads, by representations on the walls of the churches of the chief event of Scripture history. From this the transition to specially reverenced pictures of Christ, the Virgin and the Saints, was natural and easy. The crowning absurdity and blasphemy, the representation of the Almighty Maker of the Universe as a bearded old man, floating in the sky, was not yet perpetrated, nor was to be dared till the human race had taken several steps downward into the darkness of the Middle Ages; but enough had been already done to show whither the Church was tending, and to give point to the sarcasm of the

[1] This story was told by the monk John at the Council of Nicaea, 787. (See Hefele, iii. 374.) If there is any truth in it at all, we should probably for 'son' substitute 'successor.' Yezid II was succeeded in the caliphate by his brother Hischam, who ruled from 724 to 743. (Ranke's 'Weltgeschichte,' v. 2. 61–62.) After him came Welid II.

followers of the Prophet when they hurled the epithet 'idolaters' at the craven and servile populations of Egypt and Syria[1].

[1] This is not the place for describing in detail the growth of Image-worship in the Christian Church. The chief stages of the process, as enumerated by Schaff, Scudamore (in the Dictionary of Christian Antiquities), Farrar, and others, are as follows:—

(1) The Ante-Nicene Church had a decided aversion to Sculpture and Painting, and was disposed to construe literally the command, 'Thou shalt not make unto thee the likeness of anything in heaven above, or in the earth beneath' (Clemens Alexandrinus, Tertullian, &c.).

(2) But in the tombs and in the Catacombs there was a tendency to represent Christian emblems, such as the Cross, the Shepherd, the Lamb, the Ram, the Fisherman, the Fish (all emblems of Christ), the Dove, the Ship, the Palm-branch, the Lyre, the Cock, the Hart, the Phoenix (emblems of the life of the Christian believer).

(3) Thus it may be said that Christian art was born in the tombs and passed thence into the churches. Some typical *Old* Testament scenes, like the Sacrifice of Isaac, were painted in the Catacombs, perhaps as early as the third century. It is noteworthy that even as late as the sixth century the scenes depicted in the church of S. Vitale at Ravenna are almost all taken from the Old Testament.

(4) There is no trace of a likeness of Christ before the time of Constantine, except among the Gnostic Carpocratians and the alleged statue of Christ in the chapel of Severus Alexander.

(5) Early in the fourth century there was an attempt to transfer the pictures of Scripture scenes from private houses and tombs into the churches. The canon of the Council of Eliberis about 306, 'Placuit picturas in ecclesiis esse non debere. Ne quod colitur et adoratur in parietibus depingatur,' is surely directed against this practice (notwithstanding Hefele's counter-argument, i. 170).

(6) In 326 Eusebius replies with some heat to the request of Constantia, sister of Constantine, that he will send her a likeness of Christ: 'What, and what kind of likeness of Christ is there? Such images are forbidden by the second commandment.'

(7) By the middle of the fourth century not merely the painting of pictures but the reverence for them seems pretty well established, at any rate among the later, Athanasian, Christians. Basil (who

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The question mooted by Leo, 725.

It was in the year 725, according to Theophanes, that 'the irreligious Emperor first began to stir the question of the destruction of the holy and venerable images.' In the following year, about harvest-time, a volcano burst forth in the Archipelago close to the island of Thera. A heavy cloud of vapour hung over the Aegean, and pumice-stones were hurled over all the neighbouring coasts of Asia Minor and Macedon. In this portent Leo saw the rebuke of Heaven for his slackness in dealing with the sin of idolatry, and the decree which had been before talked of was now formally issued. There can be little doubt that this decree was for the actual destruction of the idolatrous

Eruption in the Archipelago, 726.

Decree against Image-worship.

died 379) says, 'I receive besides the Son of God and holy Mary, also the holy Apostles, and Prophets, and Martyrs. Their likenesses I revere and kiss with homage, for they are handed down from the holy Apostles, and are not forbidden, but are on the contrary painted in all our churches.' [This passage is spurious. See Vita S. Basilii in Migne xxix. c. 39, § 4. Basil's authority was so great, that forgers on the iconodulic side were pretty sure to play their tricks on his name. It would certainly be unhistoric to say that in his time figures of sacred personages were set up in all churches.—Note by Canon W. Bright.]

(8) A century later a great impulse to the worship of pictures was given by the legends which began to be circulated about miraculous pictures of Christ (εἰκόνες ἀχειροποίητοι), especially those said to have belonged to Abgarus king of Edessa and St. Veronica.

(9) The further downward steps of the process need not be traced. In a letter addressed by the Emperor Michael II (about 820) to Louis the Pious (or Debonair), it is said that some persons dressed the images of the saints in linen, and made them stand sponsors for their children. Monks receiving the tonsure caused their hair to fall into the lap of the image. Priests scratched off a little of the paint from the image and mixed it with the Eucharist, which they then handed forth to the kneeling worshippers, or else placed the Eucharist itself in the image's hands, out of which the communicants received it. (I borrow this quotation from Dahmen's Pontifikat Gregors II, p. 59.)

emblems. The statement which is generally made, that the Emperor's first decree only ordered that the pictures should be raised higher on the walls of the churches to remove the temptation to kiss and idolatrously adore them, is in itself improbable (for most of the pictures at this time were mosaics, which could not be so easily removed), and rests apparently on very doubtful authority[1]. On the contrary, Leo seems to have set about his self-imposed task with an almost brutal disregard of the feelings of his subjects. Undoubtedly there are times in the history of the world when the holiest and most necessary work that can be performed is that of the Iconoclast. The slow deposit of ages of superstition encrusts so thickly the souls of men that the letters originally traced thereon by the Divine Finger are not at all or but dimly legible. In such a case he who with wise and gentle hand applies the mordant acid and clears away the gathered fallacies of ages may do as useful a work, even as religious a work, as he who brings a fresh revelation from the Most High. But even in doing it he must remember and allow for the love and reverence which for generations have clustered round certain forms or words against which it may be his duty to wage war; and he will, if he is wise, gently loosen the grasp of faith, rather than with ruthless hand break both the worshipped image and the heart of the worshipper.

[1] That of the Latin version of the Life of Stephen, martyr under Constantine Copronymus. The Greek version of the Life contains no such statement. Hefele, whose conclusion here seems to me sound, though I cannot agree with all the arguments by which he supports it, says, 'diese lateinische Uebersetzung hat gar wenig Autorität' (Conciliengeschichte, iii. 378).

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Harshness of the Iconoclastic Emperors.

Such, unfortunately, was not the policy of the Isaurian Emperor, inheriting as he did the evil traditions of four centuries of Imperial legislators, whose fixed principle it had been that whithersoever the Emperor went in the regions of religious speculation or practice, thither all his subjects were bound to follow him. The destruction or obliteration of the sacred images and pictures was promptly begun, and all opposition was stamped out with relentless severity. One tragic event which occurred at Constantinople was probably the counterpart of many others of which no record has been preserved.

Destruction of the great picture of Christ over the gate of the palace.

Over the great gateway of the Imperial palace (which from the brazen tiles that formed its roof had received the name of Chalcé [1]) had been placed a great effigy of Our Saviour, which, perhaps from the refulgent mosaics of which it was composed, had received the same name of Chalcé [2]. The command went forth that this picture, probably

[1] See Paspate, Τὰ Βυζαντινὰ Ἀνάκτορα, p. 239.

[2] Our two chief authorities are here slightly at variance. Theophanes calls it *εἰκόνα τὴν ἐπὶ τῆς μεγάλης Χαλκῆς πυλῆς*: the author of the Life of Stephanus, who was of somewhat later date, and probably less acquainted with the locality, calls it *εἰκόνα . . . ἱδρυμένην ὕπερθεν τῶν βασιλικῶν πυλῶν ἐν αἷσπερ διὰ τὸν χαρακτῆρα ἡ ἁγία Χαλκῆ λέγεται*: the meaning of which seems to be that the picture itself was called Χαλκῆ. The description of Theophanes seems to suggest the idea, in itself probable, of a mosaic picture; while the martyrologist talks of burning, as if it were a wooden image. Theophanes puts the event in 726, the martyrologist at least three years later, for he makes Anastasius Patriarch instead of Germanus at the time when it occurred. The alleged letter of Pope Gregory II (in the genuineness of which I do not believe) says that the image was called *Antiphonetes*; and this has been translated by some, 'Guarantor,' and connected with a legend like that told at Ravenna of the picture called *Brachium Fortis*. (See vol. i. pp. 489–493, ed. 1; p. 902, ed. 2.)

one of the best known and most revered in all Constantinople, was to be destroyed; and hatchet in hand an Imperial life-guardsman mounted a ladder and began the work of destruction. Some women who had clustered below called out to him to cease his unholy work. In vain: the hatchet fell again and again on the loved and worshipped countenance. Thereat the women (likened by later ecclesiastical writers to the devout women who carried spices to the tomb of the Saviour) shook the ladder and brought the life-guardsman to the ground. He still breathed notwithstanding his fall, but 'those holy women' (as the martyrologist calls them), with such rude weapons as they may have had at their disposal, stabbed him to death. Something like a popular insurrection followed, which was suppressed with a strong hand, and was followed by the deaths, banishments, and mutilations of the women and their sympathisers.

Attempted revolution in Greece.

The news of this attempted religious revolution deeply stirred the minds of the subjects of the Empire. In Greece and the islands of the Archipelago there was an immediate outburst of insurrectionary fury [1]. A great fleet was prepared, a certain Cosmas was named Emperor, and on the 18th of April, 727, the rebels arrived before Constantinople. But the 'liquid fire' which had destroyed the Saracen Armada proved equally fatal to the Image-worshippers. Cosmas and one of his generals-in-chief were beheaded; the other escaped execution by leaping, clad in full armour, into the sea: the cause of Iconoclasm was for the time

[1] Prof. Bury (ii. 437) thinks that oppressive taxation was partly the cause of this revolt, and that it was not solely due to resentment against the Iconoclastic decrees.

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The Silentium of 729.

triumphant. In the year 729 Leo called what Western nations would have described as a Parliament, but what the loquacious Greeks quaintly named a *Silentium*, in order to confirm and regulate the suppression of image-worship. At this assembly, Germanus the Patriarch of Constantinople, with whom Leo had been for five year vainly pleading for assistance in his religious war, formally laid down his office. 'I am Jonah,' said the aged Patriarch; 'cast me into the sea. But know, oh Emperor! that without a General Council thou canst not make any innovations in the faith.' Germanus was deposed and allowed to spend the remainder of his life (he was already ninety years of age) in peace. His private chaplain[1] Anastasius, whom the old man had long felt to be treading on his heels, but who seems to have been sincere in his professions of Iconoclasm, was made Patriarch in the room of Germanus, and for fifteen years governed the Church of Constantinople.

Deposition of the Patriarch Germanus.

Lull in the controversy in the East.

During the remaining ten years of the reign of Leo III we do not hear much as to the details of the Iconoclastic Controversy. The Emperor's attention was probably occupied by the repeated Saracen invasions of Asia Minor, but there is no reason to suppose that he abandoned the Iconoclastic position, though martyrdoms and mutilations of the Image-worshippers are little spoken of. Apparently the latter party had for the time accepted their defeat, and those who were most zealous on behalf of the forbidden worship emigrated in vast numbers to Southern Italy and Sicily. It is for us now to consider what effect the religious war thus kindled by the Isaurian Emperor had on the fortunes of Italy.

[1] So we may perhaps translate *syncellus*.

CHAPTER XII.

KING LIUTPRAND.

Authorities.

Sources:—

PAULUS DIACONUS (not at his best in this part of his work, which, perhaps, lacked his finishing touches).

The LIBER PONTIFICALIS, Lives of Gregory II, Gregory III, and Zacharias.

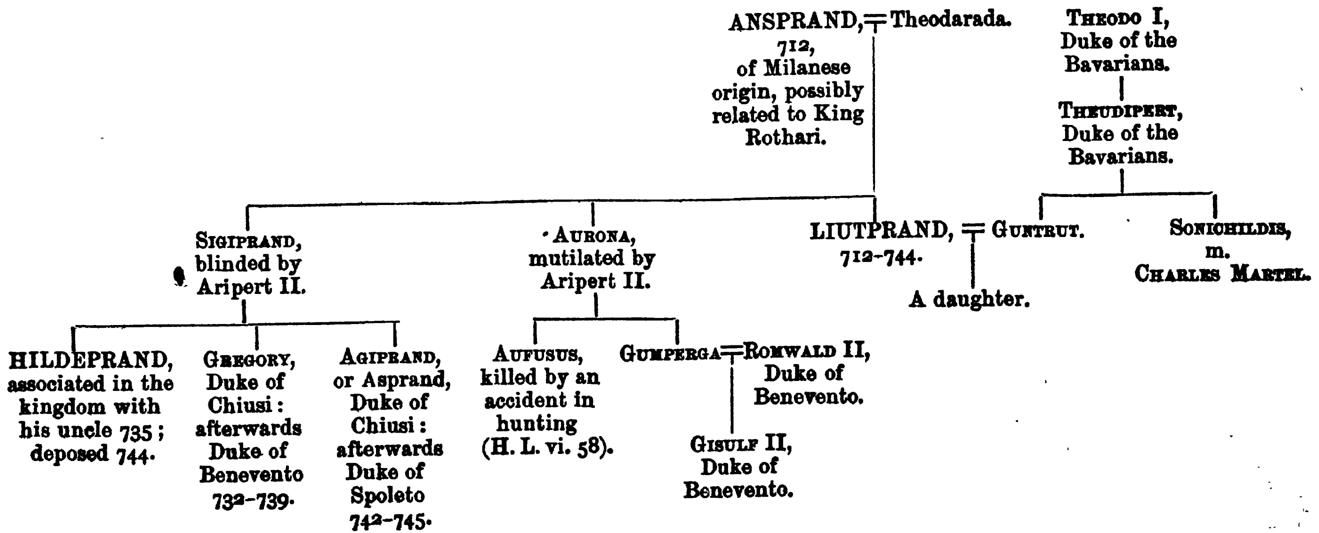
(*a*) Of the life of Gregory II there are (as Duchesne has pointed out) two recensions, one slightly later than the other, but both strictly contemporary. It is interesting to observe that one of them was used by our countryman Baeda in his Chronicle, which was finished in the year 724, seven years before the death of Pope Gregory II. Evidently therefore this biography, at least (and probably many others besides), was begun during the lifetime of its subject: it is full of valuable materials for history.

(*b*) The life of Gregory III, on the other hand, is almost worthless. It has long lists of church furniture presented by the Pope to the basilicas of Rome; but of the important political events which occurred between 731 and 741, and in some of which the Pope was chief actor, there is hardly a trace.

(*c*) The life of Zacharias again rises to the level of important history, and throws some informing light backwards on the pontificate of his predecessor. It was evidently written by an ecclesiastic in the Papal Court, who was an eye-witness of some of the scenes which he describes.

THEOPHANES is the chief source from which the Greek historians have drawn their imperfect notices of the history of Italy during this period.

FAMILY OF LIUTPRAND.



N. B. We are told that Hildeprand, Gregory, and Agiprand were all nephews of King Liutprand, but we cannot certainly say that they were brothers, nor that Sigiprand was their father. Similarly as to Aufusus, who was 'sister's son' to Liutprand, but not necessarily son of Aurona.

The Chronicles of JOANNES DIACONUS and ANDREA DANDOLO are described in Note F. I need hardly remark that this Joannes Diaconus is quite different from the biographer of Gregory the Great.

Guides:—

Martens, Politische Geschichte des Langobardenreichs unter König Liutprand (Heidelberg, 1880).

Dahmen, Das Pontifikat Gregors (Düsseldorf, 1888).

Articles by *Monticolo* and *Pinton* mentioned in Note F.

THE Iconoclastic decrees of the Emperor Leo probably reached Italy in the course of the year 726. Let us glance at the life and character of the man upon whom, as head of the Latin Church, the responsibility rested of accepting or rejecting them.

May 19, 715.

Early life of Gregory II.

Gregory II, who succeeded to the chair of St. Peter on the death of Pope Constantine, was, like his great namesake, of Roman origin, and was the son of a man who bore the true Roman name of Marcellus. He had been brought up from a child in the Papal palace, was made subdeacon, treasurer and librarian, under the pontificate of Sergius, and had attained the position of deacon when, as we have already seen [1], he accompanied Pope Constantine to Constantinople, and bore the brunt of the discussion with Justinian the Noseless, as to the canons of the Quinisextan Council. His pure life, great knowledge of Scripture, ready eloquence, and firmness in defending the rights of the Church, all marked him out as a suitable successor to the Pope in whose train he had visited the New Rome. He continued the work of restoration of the walls of Rome, and set the destructive lime-kilns at work in order to aid in the process.

687-701.

710.

Character of his Pontificate.

[1] See p. 378.

BOOK VII. CH. 12.

Visit of the Bavarian Duke Theodo to Rome.

It was probably in the year after the consecration of Gregory that a Bavarian duke, 'the first of his race' said the people of Rome, came to kneel at the shrine of St. Peter. This was the venerable Duke Theodo (probably a collateral descendant of Theudelinda), who had already divided his wide-spreading dominions among his three[1] sons, and two of whose grand-daughters about this time married the two chief rulers of the West, Liutprand and Charles Martel. Duke Theodo's visit was probably connected with a dark domestic tragedy which had ended in the mutilation and death of a Frankish bishop[2] who had visited Bavaria, and it undoubtedly led to a closer dependence of the young and rough Church of the Bavarians on the See of Rome. This was yet more firmly knit when in the year 718 our countryman Boniface, as has been already said, offered himself to the Pope as the willing instrument of the spiritual conquest of Germany[3].

Relations of Gregory II with the Lombards.

With Liutprand and the Lombards the relations of Gregory II seem in the early years of his pontificate to have been upon the whole friendly. We have seen how the Lombard king in the prologues to his yearly edicts delighted to dwell on the fact that his nation was 'Catholic' and 'beloved of God': and we have heard the remarkable words in which he announced to his subjects that he drew tighter the restrictions on the marriage of distant relations, being moved

[1] The division was into four, but Vita Corbiniani says that he divided his 'provincia sibi et suboli'.

[2] St. Emmeran, who was accused of having seduced Ota, the daughter of Theodo, and was punished by her brother Lantpert.

[3] For all these transactions, see Quitzmann, Aelteste Geschichte der Baiern, 219-266.

thereto by the letters of the Pope of the City of Rome, 'who is the head of all the churches and priests of God throughout the world.' It is entirely in accordance with the relation thus signified between the two powers that we find Liutprand at an early period of his reign renewing and confirming the mysterious donation of King Aripert II, of 'the patrimony in the Cottian Alps.'

Rebuilding of Benedictine monastery at Monte Cassino.

It was a sign of the increased gentleness of the times and of the more friendly feeling between the Church and the Lombards that, after 130 years of desolation, the hill of St. Benedict was once more trodden by his spiritual children. About the year 719, Petronax, a citizen of Brescia, came on pilgrimage to Rome, and by the advice of Pope Gregory journeyed onward to Monte Cassino. He found a few simple-hearted men already gathered there, he formed them into a regular community, and was elected by them as their abbot[1]. The fame of the new community spread far and wide: many, both nobles and men of meaner birth, flocked to the remembered spot, and by their help the monastery rose once more from its ruins, perhaps ampler and statelier than before. Years afterwards, under the pontificate of Zacharias, Petronax again visited Rome, and received from the Pope several MSS. of the Scriptures and other appliances of the monastic life, among them the precious copy of the great 'Rule' which Father Benedict had written with his own hand two centuries before. These treasures, as we have seen, had been carried by the panic-stricken

741-752.

[1] 'Ibi cum aliquibus simplicibus viris jam ante residentibus habitare coepit. Qui eundem venerabilem virum Petronacem sibi seniorem statuerunt' (Paulus, H. L. vi. 40).

BOOK VII. Ch. 12.

monks to Rome when Duke Zotto's ravages were impending over them [1].

Lombard conquest of Cumae.

But the Lombards, though now dutiful sons of the Church, had by no means ceased from their quarrel with the Empire. About the year 717 Romwald II, duke of Benevento, took by stratagem, as we are told, and in a time of professed peace, that stronghold of Cumae of which we last heard as taken by Narses from the Goths in 553 [2]. 'All in Rome,' says the Papal biographer, 'were saddened by the news,' and the Pope sent letters of strong protest to the Lombard duke, advising him, if he would escape Divine vengeance, to restore the fortress which he had taken by guile. He offered the Lombards large rewards if they would comply with his advice, but they 'with turgid minds' refused to listen to either promises or threats. Thereupon the Pope turned to the Imperial Duke of Naples, stimulated his flagging zeal by the promise of the same large rewards, and by daily letters gave him the guidance which he seems to have needed [3]. This duke, whose name was John, with Theodimus, a steward of the Papal patrimony and sub-deacon, for his second in command, entered the fortress by night. The Lombards were evidently taken by surprise, and there was

[1] p. 72. It is noticeable that the story of the second foundation of Monte Cassino is not given us by the Liber Pontificalis, but only by Paulus, who no doubt received it from his brother monks.

[2] See vol. v. p. 27.

[3] This is apparently the meaning of the biographer: 'In monitione ducis Neapolitani et populi vacans ducatum eis qualiter agerent quotidie scribendo praestabat.' 'Vacans ducatum' must mean rather 'the needed generalship' than 'the vacant duchy.' [Or it may be that 'vacans' agrees with 'ille' not (ungrammatically) with ducatus. 'He devoting his time to advising the duke and people, &c.']

little or no fighting. Three hundred Lombards with their *gastald* were slain: more than five hundred were taken as prisoners to Naples. The reward which the Pope had promised, and which was no less than 70 lbs. of gold (£2800), was paid to the victorious duke. Such events as this make us feel that we are on the threshold of the age in which Central Italy will own not the Emperor but the Pope for its lord, but we have not yet crossed it[1].

Capture of Classis by Farwald of Spoleto.

It was probably not long after this that Farwald II, duke of Spoleto, repeated the achievement of his great namesake and predecessor[2] by moving an army northward and capturing Classis, the sea-port of Ravenna. But again, as before, the conquest which we might have expected almost to end Byzantine rule in Italy, produces results of no importance. Liutprand, whose aim at this time seems to be to keep his own house in order and to live at peace with the Empire, commands Farwald to restore his conquest to the Romans, and the command is obeyed. Whether these transactions have anything to do with the next event in the internal history of Spoleto we cannot tell, but we are informed that 'Transamund, son of Farwald, rose up against his father, and making him into a clergyman usurped his place.' This revolution, which happened probably in 724[3], gave Liutprand, instead of an

Farwald II deposed by his son Transamund.

[1] Some authors consider that the real meaning of this story as given in the Liber Pontificalis is that the duke of Benevento surrendered Cumae to the Pope in return for the ransom mentioned above. I do not so read the author's meaning. It seems to me that Cumae was won back by force of arms, and that the Pope paid the money as a reward to the captors.

[2] See vol. v. p. 197.

[3] For this date see Bethmann and Holder-Egger's 'Lango-

BOOK VII. Ch. 12.

obedient vassal, a restless and turbulent neighbour, who was to be a very thorn in his side for nearly the whole remainder of his days.

Narni occupied by the Lombards.

It was perhaps the new duke of Spoleto who about this time obtained possession of the town of Narni, which place, important for its lofty bridge over the Nar, we have already learned to recognise as an important post on the Flaminian Way, and a frontier city between Romans and Lombards [1]. The conjecture that it was Transamund of Spoleto who made this conquest is confirmed by the fact that we are expressly told in the next sentence of the Life of Gregory II that

Siege of Ravenna and conquest of Classis.

it was King Liutprand [2] who put the host of the Lombards in motion and besieged Ravenna for many days. He does not appear however to have taken the city itself, but he repeated the operation of the capture of Classis, from whence he carried off many captives and countless wealth [3].

We are now approaching the time when the Isaurian Emperor's edicts against Image-worship may be

bardische Regesten' (Neues Archiv, iii. 251), Pabst's 'Geschichte des Langobardischen Herzogthums' (Forschungen, p. 469), and Sansi's 'I Duchi di Spoleto' (p. 45).

[1] See vol. iv. p. 292; vol. v. pp. 353, 358.

[2] Seeming to imply that it was not he who had conquered Narni.

[3] 'Eo tempore castrum est Narniae a Langobardis pervasum. Rex vero Langobardorum Liutprandus generali motione Ravenna progressus est atque illam obsedit per dies et castrum pervadens Classis, captos abstulit plures et opes tulit innumeras' (Lib. Pont. i. 403, ed. Duchesne). It seems to me quite impossible to fix accurately the date of this event, but it was probably not later than 725. Nor can we say from the biographer's account whether Liutprand retained possession of Classis or not. Paulus says, 'Liutprandus Ravennam obsedit Classem invasit *atque destruxit*' (H. L. vi. 49).

Troubles between the Emperor and his Italian subjects.

supposed to have reached Italy[1]. To those edicts alone has been generally attributed the storm of revolution which undoubtedly burst over Italy in the years between 727 and 730. But though a cause doubtless of that revolution, the Iconoclastic decrees were not the sole cause. Already, ere those decrees arrived, the relations between Byzantium, Rome, and Ravenna were becoming strained. The reader will have observed that for the last half century the popular party both in Ravenna and Rome had manifested an increasing contempt for the weakness of the Exarchs, hatred of their tyranny, and disposition to rally round the Roman pontiff as the standard-bearer not only of the Catholic Church against heresy, but also of Italy against

[1] In order that the reader may fully understand the course of the argument in the following pages, it will be well to quote a few sentences from Gibbon which concisely express the view of Pope Gregory's conduct which was generally accepted in the eighteenth century, and which I, in common with many modern students, think requires to be greatly modified, if not entirely abandoned. 'Without depending on prayers or miracles, Gregory II boldly armed against the public enemy, and his pastoral letters admonished the Italians of their danger and their duty. At this signal, Ravenna, Venice, and the cities of the Exarchate and Pentapolis adhered to the cause of religion; their military force by sea and land consisted, for the most part, of the natives; and the spirit of patriotism and zeal was transfused into the mercenary strangers. The Italians swore to live and die in the defence of the Pope and the holy images; the Roman people was devoted to their Father, and even the Lombards were ambitious to share the merit and advantage of this holy war. The most treasonable act, but the most obvious revenge, was the destruction of the statues of Leo himself; the most effectual and pleasing measure of rebellion was the witholding the tribute of Italy, and depriving him of a power which he had recently abused by the imposition of a new capitation' (Vol. vi. pp. 148-149, ed. Smith).

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'the Greeks.' Now, at some time in the third decade of the eighth century, there is reason to believe that financial exactions came to add bitterness to the strife.

Financial exactions of Leo III.

The Emperor had been doubtless put to great expense by the military operations necessary to repel the great Saracen invasion, and he might think, not unreasonably, that Italy, and pre-eminently the Roman Church, the largest landowner in Italy, ought to bear its share of the cost. At any rate he seems to have ordered his Exarch [1] to lay some fresh tax upon the provinces of Italy, and in some way or other to lay hold of the wealth of her churches [2]. It would seem that some similar demand had been made in the East, and had been quietly complied with by the subservient Patriarch of Constantinople. The Pope however was determined to submit to no such infraction of the privileges of the Church. He probably ordered the *rectores patrimonii* throughout Italy and Sicily to oppose a passive resistance to the demands of the Imperial collectors, and this opposition stimulated the other inhabitants of Imperial Italy to a similar refusal [3].

The Exarch's attempt

This defiance of the Emperor's edict naturally provoked resentment at Constantinople and Ravenna. The

[1] Probably Scholasticus.

[2] 'Paulus vero Exarchus imperatorum jussione pontificem conabatur interficere, *eo quod censum in provinciâ ponere praepediebat, ex suis opibus ecclesias denudari, sicut in ceteris actum est locis*, atque alium in ejus ordinare loco' (Lib. Pont., loc. cit.). It is important to observe that all this comes before the account of the Iconoclastic controversy.

[3] I am here following very closely the reasoning of Dahmen (Pontifikat Gregors II, pp. 70–73), who seems to me to have caught the true meaning of our best authority, the Liber Pontificalis, very accurately.

Exarch probably received orders to depose Gregory, as Martin had been deposed, and carry him captive to Constantinople. It is not necessary to charge the Emperor (as the Papal biographer has done) with ordering the death of the resisting pontiff. Such a command would have been inconsistent with the character of Leo, who showed himself patient under the long resistance of the Patriarch Germanus to the Iconoclastic decrees, and it is generally disbelieved by those modern writers who are least favourable to the Isaurian Emperors. It is very likely however that the satellites of the Byzantine government, perceiving the opposition between Emperor and Pope, concluded, as did the murderers of Becket, that the surest way to win their sovereign's favour was 'to rid him of one turbulent priest'; and thus it is that the pages of the biography at this point teem with attacks on the life of Gregory, all of which proved unsuccessful.

Attempts on the life of the Pope.

Basil's plot.

A certain Duke Basil, the *cartularius* Jordanes, and a subdeacon John surnamed Lurion (that is to say, two Imperial officers and one ecclesiastic, who was probably in the service of the Lateran) laid a plot for the murder of the Pope. Marinus, an officer of the life-guards, who had been sent from Constantinople to administer the *Ducatus Romae*, gave a tacit sanction to their design, for the execution of which however they failed to find a fitting opportunity. Marinus, stricken by paralysis [1], had to relinquish the government of Rome and retire from the scene; but when Paulus the Patrician came out as full-blown Exarch to Italy the conspirators obtained, or thought they obtained, his consent also to

[1] So Duchesne understands 'qui Dei judicio dissolutus contractus est.'

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their wicked schemes. The people of Rome however got wind of the design, and in a tumultuary outbreak[1] slew the two inferior conspirators, Jordanes and Lurion. Basil was taken prisoner, compelled to change the gay attire of a duke for the coarse robes of a monk, and ended his days in a convent.

The Lombards of Spoleto defend the Pope from the Exarch.

Again a guardsman was sent by the Exarch, this time only with orders to depose the pontiff: and as he apparently failed to execute his commission, Paulus raised such an army as he could in Ravenna and the neighbouring towns, and sent it under the command of the count of Ravenna[2] to enforce the previous order. But the Romans and—ominous conjunction—the Lombards also, flocked from all quarters to the defence of the pontiff. The soldiers of the duke of Spoleto blocked the bridge over the Anio by which the Exarch's troops, marching on the left bank of the Tiber along the Salarian Way, hoped to enter Rome. All round the confines of the *Ducatus Romae* the Lombard troops were clustering, and the count was forced to return to Ravenna with his mission unfulfilled[3].

Thus then the political atmosphere of central Italy was full of electricity before the decrees against Image-

[1] '*Qui moti cuncti* Jordanem interfecerunt et Johannem Lurionem.'

[2] 'Denuo Paulus patricius ad perficiendum tale scelus quos seducere potuit ex Ravennâ *cum suo comite* atque ex castris aliquos misit.' I think we must translate *cum suo comite* as above.

[3] The words of the Papal biographer are not absolutely clear, but they are important: 'Sed motis Romanis atque undique Langobardis pro defensione pontificis, in Salario ponte Spolitini, atque hinc inde duces Langobardorum circumdantes Romanorum fines, hoc praepedierunt.'

worship came to evoke the lightning flash of revolution. It will be well here to quote the exact words of the Liber Pontificalis, which is our only trustworthy authority for the actual reception of the decrees in Italy:—

727.

Reception of the Iconoclastic decrees, 727.

'By orders subsequently transmitted[1] the Emperor had decreed that no image of any saint, martyr or angel should be retained in the churches; for he asserted that all these things were accursed. If the Pope would acquiesce in this change he should be taken into the Emperor's good graces, but if he prevented this also from being done he should be deposed from his see[2]. Therefore that pious man, despising the sovereign's profane command, now armed himself against the Emperor as against a foe, renouncing his heresy and writing to Christians everywhere to be on their guard, because a new impiety had arisen. Therefore all the inhabitants of the Pentapolis and the armies of Venetia[3] resisted the Emperors, declaring that they would never be art or part in the murder of the Pope, but would rather strive manfully for his defence, so that they visited with their anathema the Exarch Paulus as well as him who had given him his orders, and all who were like-minded with him. Scorning to yield obedience to his orders, they elected dukes[4] for themselves in every part of Italy, and thus they all

[1] 'Jussionibus *postmodum* missis.' The sentence immediately preceding describes the frustration of the Count's enterprise by the joint efforts of Romans and Lombards.

[2] 'Et si adquiesceret pontifex, gratiam imperatoris haberet; si *et hoc* fieri praepediret, a suo gradu decideret.' Notice the *et hoc*, which evidently refers to the Pope's previous resistance to the financial measures of the Emperor.

[3] 'Omnes Pentapolenses atque Venetiarum exercita' (*sic*).

[4] Or generals: 'Sibi omnes ubique in Italiâ duces elegerunt.'

727.

provided for their own safety and that of the pontiff. And when [the full extent of] the Emperor's wickedness was known, all Italy joined in the design to elect for themselves an Emperor and lead him to Constantinople. But the Pope restrained them from this scheme, hoping for the conversion of the sovereign.'

Attitude of Gregory towards the insurgents.

From this narrative, which has all the internal marks of truthfulness, it will be seen that Gregory II, while utterly repudiating the Iconoclastic decrees and 'arming himself' (perhaps rather with spiritual than carnal weapons) 'against the Emperor as against a foe,' threw all his influence into the scale against violent revolution and disruption of the Empire. In fact, we may almost say that the Pope after the publication of the decrees was more loyal to the Emperor, and less disposed to push matters to extremity, than he had been before that change in his ecclesiastical policy. The reason for this, as we may infer from the events which immediately followed, was that he saw but too plainly that revolt from the Empire at this crisis would mean the universal dominion of the Lombards in Italy.

Account of the matter given by Theophanes.

Having given this, which appears to be the true history of Gregory's attitude during the eventful years from 725 to 731, we must now examine the account given by Theophanes, which, copied almost verbatim by subsequent Greek historians, has unfortunately succeeded in passing current as history. *Anno Mundi* 6217 [= A. D. 725]. 'First year of Gregory, bishop of Rome.' [Gregory's accession really took place ten years earlier.] 'In this year the impious Emperor Leo began to stir the question of the destruction of the holy and venerable images; and learning this, Gregory

the Pope of Rome stopped the payment of taxes in Italy and Rome, writing to Leo a doctrinal letter [1] to the effect that the Emperor ought not to meddle in questions of faith, nor seek to innovate on the ancient doctrines of the Church which had been settled by the holy fathers.'

(A.M. 6221; = A.D. 729.) After describing the steadfast opposition of Germanus, Patriarch of Constantinople, to 'the wild beast Leo (fitly so named) and his underlings,' Theophanes continues, 'In the elder Rome also Gregory, that all-holy and apostolic man and worthy successor of Peter, chief of the Apostles, was refulgent in word and deed; who caused both Rome and Italy and all the Western regions to revolt from their civil and ecclesiastical obedience to Leo and the Empire under his rule [2].'

He then relates the deposition of Germanus and the elevation to the Patriarchate of Anastasius falsely so called [3]: 'But Gregory the holy president of Rome, as I before said, disowned Anastasius by his circular letters [4], refuting Leo by his epistles as a worker of impiety, and withdrew Rome with the whole of Italy from his Empire.'

Conflict of testimony between the Biographer and Theophanes.

The reader has now before him the passages in the history of Theophanes on the strength of which Gregory II is generally censured or praised (according to the point of view taken by the narrator) for having stimulated the revolt of Italy and stopped the pay-

[1] *ἐπιστολὴν δογματικήν.*

[2] *ὃς ἀπέστησε Ῥώμην τε καὶ Ἰταλίαν καὶ πάντα τὰ Ἑσπέρια τῆς τε πολιτικῆς καὶ ἐκκλησιαστικῆς ὑπακοῆς Λέοντος καὶ τῆς ὑπ' αὐτὸν βασιλείας.*

[3] Because his name Anastasius spoke of the resurrection.

[4] *τοῖς λιβέλλοις ἀπεκήρυξεν.*

ment of the Imperial taxes. They are quite irreconcilable with the story of the Liber Pontificalis, and every historian must choose between them. For my part, I have no hesitation in accepting the authority of the Papal biographer, and throwing overboard the Byzantine monk. The former was strictly contemporary, the latter was born seventeen years after Gregory was in his grave. Theophanes wrote his history at the beginning of the ninth century, when the separation of the Eastern and Western Empires through the agency of the Popes was an accomplished fact, and he not unnaturally attributed to Gregory the same line of policy which he knew to have been pursued by his successors Hadrian and Leo. He was moreover, as we have seen, outrageously ill-informed as to other Western affairs of the eighth century. It is easy to understand how the refusal of taxes, which was really an earlier and independent act in the drama, became mixed in his mind with the dispute about images, and how he was thus led to describe that as a counter-blow to the Iconoclastic decrees, which was really decided upon ere the question of Image-worship was mooted.

Letters of Gregory II to Leo III not now extant.

Theophanes is probably right in saying that the Pope sent letters to the Emperor warning him against interference in sacred things. Unfortunately these letters have perished, for the coarse and insolent productions which have for the last three centuries passed current under that name are now believed by many scholars to be forgeries of a later date. Much confusion is cleared away from the history, and the memory of a brave but loyal Pope is relieved from an unnecessary stain, by the rejection of these apocryphal letters[1].

[1] See Note E at the end of this chapter.

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Anti-Papal movement in Campania.

Anarchy and the disruption of all civil and religious ties seemed to impend over Italy when the Emperor and the Pope stood thus in open opposition to one another. There was a certain Exhilaratus, duke of Campania, whose son Hadrian had some years before [1] incurred the anathema of a Roman synod for having presumed to marry the deaconess Epiphania. Father and son now sought to revenge this old grudge on the Pontiff. They raised the banner of 'obedience to the Emperor and death to the Pope of Rome,' and apparently drew away a considerable number of the Campanians after them. But 'the Romans' (probably the civic guard which had been so conspicuous in some recent events) went forth and dispersed the Campanians, killing both Exhilaratus and his son. Another Imperial duke named Peter was arrested, accused of writing letters to the Emperor against the Pope, and, according to the cruel fashion which Italy borrowed from Byzantium, was deprived of sight.

Civil war at Ravenna.

At Ravenna itself something like civil war seems to have raged. There was both an Imperial and a Papal party in that city, but apparently the latter prevailed. The Exarch Paulus was killed (probably in 727 [2]), and it seems probable that for some time Ravenna preserved a kind of tumultuary independence, disavowing the rule of the Emperor, and proclaiming its fidelity to the Pope and the party of the Image-worshippers [3].

[1] In 721: see Hefele's Conciliengeschichte, iii. 362.

[2] In the Vita Gregorii the death of Paulus comes before the eleventh Indiction.

[3] I do not think we can say more about this supposed interval of independence than that it is probable. We have no clear statement to that effect in any of our contemporary authorities, but Agnellus gives us after his fashion a long, obscure and undated

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727. Conquests of Liutprand.

Meanwhile out of all this confusion and anarchy the statesmanlike Liutprand was drawing no small advantage. In the north-east he pushed his conquests into the valley of the Panaro, took Bologna and several small towns in its neighbourhood, invaded, and perhaps conquered the whole of the Pentapolis and the territory of Osimo[1]. It would seem from the expression used by the Papal biographer that with none of these towns was any great display of force needed, but that all, more or less willingly, gave themselves up to the Lombard king, whose rule probably offered a better chance of peace and something like prosperity than that either of the Exarch or the Exarch's foes.

story about battles between the citizens of Ravenna and the Greeks in the 'field of Coriander' outside the town. Terrible blows were struck on both sides: the Archbishop and his priests in sackcloth and ashes prostrated themselves on the ground, imploring the mercy of the Almighty. Suddenly a great bull appeared between the two armies, and pawing the ground, threw clouds of dust against the Greeks, and a great voice, coming no one knew from whence, resounded, 'Well done, men of Ravenna! Fight bravely; the victory will be yours this day.' The men of Ravenna pressed on: the Greeks tried to flee to their cutters, but were all slain, and fell by thousands into the river Badareno. For six years from that time no one would eat fish caught in the river. All this, as Holder-Egger truly remarks, if it have any truth in it at all, must relate to the Iconoclastic disturbances.

[1] 'Langobardis vero Emiliae castra, Ferronianus, Montebelli, Verabulum cum suis oppidibus (*sic*) Buxo et Persiceta, Pentapolim (*sic*) quoque Auximana civitas se tradiderunt.' Muratori (Annali d'Italia, iv. 254) makes Ferronianus = the district Fregnano west of the Panaro; Montebellum = Monteveglio a little west of Bologna; Persiceta = S. Giovanni in Persiceto a little to the north-west of the same city. Verabulum and Buxo he gives up as hopeless. The passage shows that Osimo was at this time considered distinct from the Pentapolis. The capture of Bologna is given on the authority of Paulus (H. L. vi. 49).

727. Capture and restitution of Sutrium.

At the same time Liutprand also took (by guile, as we are told) the town of Sutrium, only thirty miles north of Rome, but this, after holding it for one hundred and forty days, on the earnest request of the Pope he 'gave back to the blessed Apostles Peter and Paul,' without however restoring the booty which had rewarded the capture [1].

Eutychius Exarch.

On the death of Paulus, the Eunuch Eutychius was appointed Exarch. He was apparently the last man who held that office, and though there is a provoking silence on the part of all our authorities as to his character, we may perhaps infer that he was a somewhat stronger and more capable man than many of his predecessors. But that is very faint praise [2].

His designs against the Pope.

The new Exarch landed at Naples—perhaps on account of the disturbed state of Ravenna—and from that city began to spread his net for the feet of the Pontiff. If the biographer may be trusted (which is doubtful), he sent a private messenger to Rome instructing his partisans to murder both the Pope and the chief nobles of the City [3]. The citizens got hold of the messenger and his letters, and 'when they perceived the cruel madness' of the Exarch they would fain have put the messenger to death, but the Pontiff hindered them. However, all the citizens, great and

[1] We have at last a date for this event, 'the eleventh Indiction,' = 727–728.

[2] The Liber Pontificalis describes him as 'Eutychium patricium eunuchum, qui dudum exarchus fuerat.' I suppose this ought to mean that Eutychius had been Exarch previously, and that this was his second tenure of office. But is it not possible that the biographer simply means 'who for a long time held the office of Exarch'?

[3] 'Ut pontifex occideretur cum optimatibus Romae.'

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Popular enthusiasm on behalf of the Pope.

small, assembled in some sort of rude and unconscious imitation of the old *comitia* (held probably in one of the great Roman basilicas), wherein they solemnly anathematised Eutychius and bound themselves by a great oath to live or die with the Pontiff, 'the zealot of the Christian faith and defender of the Churches.' The Exarch sent messengers to both king and dukes of the Lombards, promising them great gifts if they would desist from helping Gregory II, but for a time all his blandishments were unavailing; Lombards and Romans vying with one another in declaring their earnest desire to suffer, if need were, a glorious death for the defence of the Pope and the true faith. Meanwhile the Pope, while giving himself up to fastings and daily litanies, bestowed alms on the poor with lavish hand, and in all his discourses to the people, delivered in gentle tones, thanked them for their fidelity to his person, and exhorted them to continue in the faith, but also warned them 'not to cease from their love and loyalty towards the Roman Empire[1]. Thus did he soften the hearts of all and mitigate their continued sorrow.'

Eutychius and Liutprand combine.

But though the Exarch was at first unsuccessful both with the king and the dukes of the Lombards, there came a time (probably in the year 730) when Liutprand began to listen to his words and when a strange sympathy of opposites drew the Lombard King and the Greek Exarch into actual alliance with one another. If we attentively study Liutprand's career we shall, I think, see that the one dominant feature in his policy was his determination to make-

[1] 'Sed ne desisterent ab amore vel fide Romani imperii ammonebat.'

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himself really as well as theoretically supreme over all Lombard men. In his view, to extend his territories at the expense of the dying Empire was good, and he neglected no suitable opportunity of doing so. To pose as the friend and champion of the Pope was perhaps even better, and he would sometimes abandon hardly-won conquests in order to earn this character. But to gather together in one hand all the resources of the Lombard nationality, to teach the half-independent dukes of Benevento and Spoleto their places, to make Trient and Friuli obey the word of a king going forth from Pavia, this was best of all: this was the object which was dearest to his heart. Thus what Ecgberht did eighty years later for England, Liutprand strove to do, not altogether unsuccessfully, for Italy.

From this point of view the rally of Lombard enthusiasm round the threatened Pope was not altogether acceptable to Liutprand. It was a movement in which the central government at Pavia had had little share. Tuscia and Spoleto, pre-eminently Spoleto, had distinguished themselves by their enthusiasm at the Salarian Bridge in repelling the invading Greeks. We are not informed of the attitude of Benevento, but we can see that the whole tendency of the movement was to substitute an independent Central Italy, with Rome as its spiritual capital, for the confessedly subordinate duchies of Clusium, Lucca, Spoleto, and the like.

Attitude of the dukes of Spoleto

As for Spoleto, there can be little doubt that Transamund, the undutiful son who had turned his father into a priest, was already showing his sovereign that he would have a hard fight to keep him in the old theoretical state of subservience and subjection. At Benevento also the forces of disorder were at work,

and Benevento.

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and, as we shall see a little later, a usurper was probably ruling the duchy of the Samnites[1].

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In order then to accomplish his main purpose, the consolidation of Lombard Italy, Liutprand formed a league with the Exarch Eutychius, and the two rulers agreed to join their forces, with the common object of subjecting the dukes of Spoleto and Benevento to the king, and of enabling the Exarch to work his will on the Pope and the City of Rome. In accordance with this plan, Liutprand, who was of course far the stronger member of the confederacy, marched to Spoleto, received from both the dukes hostages and oaths of fidelity, and then moving northward to Rome encamped with all his army in the Plain of Nero, between the Vatican and Monte Mario.

The Pope's interview with Liutprand.

The combination of the Imperial deputy and the Lombard king, the might of Right, and the right of Might, seemed to bode instant destruction to the Roman Pontiff; but he repeated, not in vain, the experiment which his great predecessor Leo, three centuries before, had tried on Attila. He went forth from the City, attended doubtless by a long train of ecclesiastics; he addressed one of his soothing and sweet-toned addresses to the Lombard, and soon had the joy of seeing him fall prostrate at his feet and vow that no harm should befall him through his means. In token of his penitence and submission Liutprand took off his mantle, his doublet[2], his belt, his gilded sword and spear, his golden crown and silver cross, and laid them all down in the crypt before the altar of St. Peter. Solemn prayers were

[1] If, that is to say, the death of Romwald II had already occurred, of which we cannot be certain (see p. 470).

[2] 'Armilausiam.'

said; Liutprand besought the Pope to receive his ally the Exarch into favour, and thus a reconciliation, at least an apparent reconciliation, was effected, and the ominous alliance between King and Exarch was practically dissolved, never to be again renewed[1].

Petasius anti-Emperor.

While the Exarch, now as it would seem an honoured guest of the Pope, was tarrying at Rome, a wild and hopeless attempt to bring the opposition to Leo III to a head, by setting up a rival Emperor, was made and easily defeated. The pretender, whose real name was Petasius, assumed the name of Tiberius. This was, as we have seen, the appellation by which not only the Emperor Apsimar, but also Basil the pretender to the Empire who arose in Sicily, had elected to be called[2]. We must suppose that some remembrance of the popular virtues of Tiberius II had obliterated the odium attaching to the name of Tiberius I[3]. However, only

[1] Pabst (p. 477) considers that this campaign of Liutprand, in alliance with the Exarch, against Rome was the fortunate moment in which the Lombards might have taken the Eternal City and established the unity of Italy. But Liutprand was filled with feelings of the deepest reverence towards the Catholic Church, whose Head condescended to plead with him on the Plains of Nero, and 'so through mistaken piety the decisive moment was lost.'

[2] See pp. 362, 428. The revolt of Basil-Tiberius is described to us by Theophanes, A.M. 6210. The question suggests itself, 'Is it possible that these two revolts of a so-called Tiberius against Leo are really one?' If it were so we should give the preference to the account of the matter given by the Liber Pontificalis, as the contemporary authority and the one best informed on Western affairs. But on the whole Theophanes seems to know too many details for us altogether to reject his information. It seems safer to continue to treat the revolts as distinct events, one occurring in 718, and the other in 730 or 731.

[3] Was there also something in the idea of a lucky name? Tiberius-Apsimar had supplanted Leontius; and so Tiberius-Basil and Tiberius-Petasius might hope to supplant Leo.

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a few towns in Tuscany[1] swore allegiance to the usurper, and the Exarch, though troubled at the tidings of the insurrection, yet being comforted by the assurances of the Pope's fidelity, and receiving from him not only a deputation of bishops, but also the more effectual help of a troop of soldiers, went forth to meet the pretender, defeated him, and cut off his head, which he sent as a token of victory to Constantinople. 'But not even so,' says the Papal biographer, 'did the Emperor receive the Romans back into full favour.'

Death of Gregory II, 731.

On February 11, 731, the aged Pope Gregory II died. He was a man with much of the true Roman feeling which had animated his great namesake and predecessor, but with more sweetness of temper, and he had played his part in a difficult and dangerous time with dignity and prudence, upholding the rights of the Church and the claims of the Holy See as he understood them, but raising his powerful voice against the disruption of the Empire. By a hard fate his name has been in the minds of posterity connected with some of the coarsest and most violent letters that were ever believed to have issued from the Papal Chancery, letters more worthy of Boniface VIII than of the 'sweet reasonableness' of Gregory II.

Gregory III, Pope, 731–741.

The new Pope, whose election was completed on March 18, 731, and who took the title of Gregory III, was of Syrian origin, descended doubtless from one of

[1] 'Castrum Manturianense,' which was the pretender's head-quarters and the scene of his defeat, is identified by Muratori (Annali, iv. 261) with Barberano, about fifteen miles east of Civita Vecchia. Blera, now Bieda, is also mentioned as having sworn allegiance to the pretender. Luna, which is the last mentioned of the insurgent towns, can hardly be the well-known Luna at the northern end of Etruria.

the multitude of emigrants who had been driven westwards and Romewards by the tide of Mohammedan invasion. He has not been so fortunate in his biographer as his predecessor, for the imbecile ecclesiastic who has composed the notice of his life which appears in the Liber Pontificalis is more concerned with counting the crowns and the basins, the crosses and the candlesticks, which Gregory III presented to the several churches in Rome, than with chronicling the momentous events which occurred during the ten years of his Pontificate. It is clear however that the third Gregory pursued in the main the same policy as his predecessor, sternly refusing to yield a point to the Emperor on the question of Image-worship, but also refusing to be drawn into any movement for the dismemberment of the Empire. In his relations with Liutprand he was less fortunate. He intrigued, as it seems to me unfairly, with the turbulent dukes of Spoleto and Benevento: and he was the first Pope in this century to utter that cry for help from the other side of the Alps which was to prove so fatal to Italy.[1]

Papal remonstrances with the Emperor.

Gregory III was evidently determined to try what ecclesiastical warnings and threats would effect in changing the purpose of Leo. He wrote a letter 'charged with all the vigour of the Apostolic See,' and sent it to the Emperor by the hands of a presbyter named George. But George, 'moved by the fear

[1] [Gregory's repair of the walls of Rome should here be noticed. 'Hujus temporibus plurima pars murorum hujus civitatis Romae restaurata est: alimonia quoque artificum et pretium ad emendum calcem de proprio tribuit.' Crivellucci ('Origini dello Stato,' &c., p. 53) rightly lays considerable stress on this repair of the walls as increasing the defensibility of Rome against the Lombards.]

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natural to man,' did not dare to present the letter, and returned to Rome with his mission unaccomplished. The Pope determined to degrade his craven messenger from the priestly office, but on the intercession of the bishops of the surrounding district assembled in council, he decided to give him one more chance to prove his obedience. This time George attempted in good faith to accomplish his mission, but was forcibly detained in Sicily by the officers of the Emperor, and sentenced to banishment for a year.

Council of Italian bishops, 731.

On November 1, 731, the Pope convened a Council, at which the Archbishops of Grado and Ravenna and ninety-three other Italian bishops were present, besides presbyters, deacons, 'consuls,' and members of the commonalty[1]. By this Council it was decreed, 'that if hereafter any one despising those who hold fast the ancient usage of the Apostolic Church should stand forth as a destroyer, profaner, and blasphemer against the veneration of the sacred images, to wit of Christ and his Immaculate Mother, of the blessed Apostles and the Saints, he should be excluded from the body and blood of Jesus Christ, and from all the unity and fabric of the Church.'

With this decree of the Council was sent to the Emperor a *defensor* named Constantine, who, like his predecessor, was forcibly detained and sentenced to a year's exile. The messengers from various parts of Italy who were sent to pray for the restoration of the sacred images were all similarly detained for a space of eight months by Sergius, Prefect[2] of Sicily. At last the *defensor* Peter reached 'the royal city' of

[1] 'Nobilibus etiam consulibus et reliquis Christianis plebibus.'

[2] 'Patricio et Stratigo.'

Constantinople and presented his letters of warning and rebuke to Leo, to his son Constantine (now the partner of his throne), and to the Iconoclastic Patriarch Anastasius.

Here the Papal biographer breaks off, and we have to turn to another source to learn what answer the Emperor made to the remonstrances which had been addressed to him with so much persistence.

Theophanes (who knows nothing of the accession of the third Gregory) gives us the following information under date of 732[1]:—

Leo's attempted punishment of the Pope, 732.

'But the Emperor raged against the Pope and the revolt of Rome and Italy, and having equipped a great fleet, he sent it against them under the command of Manes, general of the Cibyrrhaeots[2]. But the vain man was put to shame, his fleet being shipwrecked in the Adriatic sea. Then the fighter against God being yet more enraged, and persisting in his Arabian [Mohammedan] design, laid a poll-tax on the third part of the people of Calabria and Sicily[3]. He also ordered that the so-called *patrimonia* of the holy and eminent Apostles [Peter and Paul] reverenced in the elder Rome, which had from of old brought in a revenue to the churches of three and a half talents of gold[4], should be confiscated to the State. He ordered

Sequestration of Papal patrimonies.

[1] Anno Mundi 6224: according to Theophanes' reckoning, A.D. 724.

[2] 'It is evident,' says Bury (ii. 343), 'that the little maritime town of Cibyra between Side and Ptolemais [on the coast of Pamphylia] had already given her name to the naval troops of those regions . . . and perhaps this distinction was due to some energetic enterprise against a Saracen fleet.'

[3] φόρους κεφαλικοὺς τῷ τρίτῳ μέρει Καλαβρίας καὶ Σικελίας τοῦ λαοῦ ἐπέθηκεν.

[4] About £15,800, taking the ratio of gold to silver at 18 : 1.

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732. Poll-tax.

moreover that all the male children who were born should be inspected and registered, as Pharaoh aforetime did with the children of the Hebrews, a measure which not even his teachers the Arabians had taken with the Eastern Christians who were their subjects.'

A few facts stand out clearly from this somewhat confused narrative. The maritime expedition which was frustrated by the storm in the Adriatic was no doubt intended to enforce the Iconoclastic decrees throughout Imperial Italy, perhaps to arrest the Pope. Apparently after the failure of this attempt it was never renewed. Financial grievances (probably the financial exigencies of the Imperial treasury) are again, as in our previous extracts from the same author, confusedly mixed up with religious innovations. But we may fairly infer that the sequestration of the Papal patrimonies, which would take effect chiefly in Sicily and Calabria, was meant as a punishment for the Pope's contumacy in respect of the decrees against image-worship: and if maintained, as it seems to have been, it must have seriously diminished the Papal splendour. The poll-tax[1], and its necessary consequence the census of births, which is so absurdly compared to the infanticidal decree of Pharaoh, was doubtless a mere attempt—whether wise or unwise we cannot judge—to balance the Imperial budget. The fact that it was confined to Sicily and Calabria seems to show that all the territory in Northern and Central Italy which had

[1] The poll-tax (φόροι κεφαλικοί) levied on the third part of the population is rather difficult to understand. According to Zachariae (quoted by Hartmann, p. 91) there was a certain quota (*simplum*) which had to be paid by the inhabitants in groups of three; a very strange and clumsy arrangement.

lately belonged to the Empire was still seething with disaffection. Possibly even Ravenna itself was yet unsubdued, and in the possession of the insurgents.

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Separation of Illyricum from the Latin Patriarchate.

At the same time, by an important ecclesiastical revolution, all the wide territories east of the Adriatic, which as part of the old Prefecture of Illyricum [1] had hitherto obeyed the spiritual jurisdiction of Rome, were now rent away from the Latin Patriarchate: truly a tremendous loss, and one for which at the time it needed all the new conquests in England and Germany to make compensation [2].

With the facts thus gleaned from the pages of Theophanes our information as to the transactions between Emperor and Pope for the ten years of Gregory's pontificate comes to an end. Let us now turn to consider Liutprand's dealings with his subject dukes during the same period.

Affairs of Friuli.

First we find our attention drawn to the region of the Julian Alps, where for some six and twenty years Pemmo, the skilful and ingenious, the tolerant husband of the ungainly Ratperga, the founder of one of the earliest schools of chivalry [3], had been ruling the duchy of Friuli. It was somewhere about the point which we have now reached in the reign of Liutprand [4] that this wary old ruler came into collision with that king's

[1] See vol. i. p. 226 (p. 619 in 2nd edition).

[2] See Bury, ii. 446, and Baxmann, i. 211. The proof of the above assertion is furnished by letters in Mansi's Concilia, xiii. 808, and xv. 167. I owe these references to Professor Bury.

[3] See p. 333.

[4] Muratori relates the fall of Pemmo under the year 737, but admits that 'forse appartiene ad alcuno degli anni precedenti.' We can only conjecture the date, and from its position in the pages of Paulus I should conjecture about 731.

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power, and lost both duchy and liberty. The cause of the trouble was ecclesiastical, and came, as almost all ecclesiastical troubles in that reign did come, directly or indirectly, from the controversy about the Three Chapters.

Patriarchates of Grado and Aquileia.

The synods which were held under Cunincpert at Pavia and Aquileia had reunited the Church of North Italy in the matter of doctrine, but the vested rights of the two Patriarchates which had been created in the course of the schism, remained, and were fixed in the established order of the Church, when, at the request of King Liutprand, Gregory II sent the *pallium* of a metropolitan to Serenus, Patriarch of Aquileia [1]. Grado, which was within range of the fleets of Byzantium, had hitherto been the sole patriarchate in Venetia and Istria recognised by Rome. Now Aquileia, not ten miles distant from Grado (from whose desolate shore the campanile of the cathedral is plainly visible), Aquileia, which in all things was swayed by the nod of the Lombard king, was a recognised and orthodox Patriarchate also. A singular arrangement truly, and one which was made barely tolerable by the provision that, while maritime Venetia, including the islands in the lagunes, now fast rising into prosperity and importance, was to obey the Patriarch of Grado, continental Venetia, including Friuli and the bishoprics and convents endowed by its Lombard dukes, was to be subject to the rule of the Patriarch of Aquileia.

Dissensions of course arose, or rather never ceased, between the two so nearly neighbouring spiritual

[1] This fact, mentioned by Dandolo (vii. 2. 13), seems to be vouched for by the letter of Gregory II to Serenus, December 1, 723, quoted in the Chronicle of Joannes Diaconus (p. 96, ed. Monticolo).

rulers. They are attested by two letters of Pope Gregory II, one to Serenus of Aquileia, whom he calls bishop of Forum Julii, warning him not to presume on his new *pallium* and on the favour of his king in order to pass beyond the bounds of the Lombard nation and trespass on the territory of his brother of Grado; the other to Donatus of Grado, telling him of the warning which has been sent to Serenus.

The Patriarch of Aquileia takes up his abode at Cividale.

It will be noticed that in the superscription of the letter to Serenus he is spoken of as bishop of Forum Julii. This can hardly have been his contemporary title, but it describes that which was to be his position in later times. As the Lombard duke was his patron, power naturally gravitated towards him, and Aquileia, always sombre in its wide-reaching ruins, and now exposed to attack from the navies of hostile Byzantium [1], ceased to be a pleasant residence for the Patriarch who took his title from its cathedral. At first he came only as far as Cormones, a little *castrum* [2] half way on the road to Friuli. To the capital itself he could not yet penetrate, for, strangely enough, there was already one somewhat intrusive bishop there. From Julium Carnicum (Zuglio), high up in the defiles of the Predil pass, Bishop Fidentius had descended to Cividale in search

[1] 'Superiores patriarchae, quia in Aquileiâ propter Romanorum incursionem habitare minimé poterant, sedem non in Forojuli sed in Cormones habebant' (Paulus, H. L. vi. 51). It seems to me probable that the hostile movements connected with the Iconoclastic controversy are here referred to. Is it possible that the Patriarchs of Aquileia quitted it for more comfortable quarters because they felt their ecclesiastical position assured by the receipt of the *pallium* from the Pope?

[2] Village, probably guarded by a fortress.

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of sunshine and princely favour, and receiving a welcome from some earlier duke had established himself there as its bishop. To him had succeeded Amator: but now Callistus, the new Patriarch of Aquileia, who was of noble birth and yearned after congenial society, taking it ill that these Alpine bishops should live in the capital and converse with Duke Pemmo and the young scions of the Lombard nobility, while he had to spend his life in the companionship of the boors of Cormones, took a bold step, forcibly expelled Bishop Amator, and went to live in his episcopal palace at Cividale. But Pemmo and the Lombard nobles had not invited Amator to their banquets to see their guest-friend thus flouted with impunity. Having arrested Callistus, they led him away to the castle of Potium[1] overhanging the sea, into which they at first proposed to cast him headlong. 'God, however,' says Paulus, 'prevented them from carrying out this design, but Pemmo thrust him into the dungeon and made him feed on the bread of tribulation.'

Patriarch Callistus imprisoned.

The tidings of this high-handed proceeding greatly exasperated Liutprand, in whose political schemes the new orthodox Patriarch of Forum Julii was probably an important factor. He at once issued orders for the deposition of Pemmo and the elevation of his son Ratchis in his stead. No great display of force seems to have been needed for this change; probably there was already a large party in the duchy who disapproved of the arrest of Callistus. Pemmo and his friends meditated an escape into the land of the Sclovenes on the other side of the mountains, but

Pemmo deposed by Liutprand.

Ratchis, duke of Friuli.

[1] Or Pontium, or Nocium. No one suggests any identification of the place.

Ratchis persuaded them to come in and throw themselves on the mercy of the king. At Pavia [1] King Liutprand sat upon the judgment-seat, and ordered all who had been concerned in the arrest of Callistus to be brought before him. The fallen Duke Pemmo and two of his sons, Ratchait and Aistulf, came first. Their life was yielded as a favour to the loyal Ratchis, but they were bidden—perhaps in contemptuous tones—to stand behind the royal chair. Then with a loud voice the king read out the list of all the adherents of Pemmo, and ordered that they should be taken into custody. The ignominy of the whole proceeding heated the mind of Aistulf to such rage that he half drew his sword out of the sheath, and was about to strike the king, but Ratchis stayed his arm, and the treasonable design perhaps escaped the notice of Liutprand. All Pemmo's followers were then arrested and condemned to long captivity in chains, except one brave man named Herfemar, who drew his sword, defended himself bravely against the king's officers, and escaped to the basilica of St. Michael, which he did not leave till he had received the king's (faithfully kept) promise of pardon [2].

Ratchis justified the choice made of him for his father's successor by an irruption into Carniola, in which he wrought much havoc among the Sclovenic enemies of his people, delivering himself from great personal peril by a well-aimed blow with his club at the chief of his assailants.

Of the after-fate of Pemmo and whether he lingered long in imprisonment we hear unfortunately nothing.

[1] Apparently: it is not quite clearly stated by Paulus.

[2] Paulus, H. L. vi. 51.

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He was certainly not restored to his duchy. From the whole course of the narrative we can at once perceive that a much stronger hand than that of the Perctarits and the Cunincperts is at the helm of the state, and that Liutprand is fast converting the nominal subjection of the great dukes into a very real and practical one.

Affairs of Benevento.

Of the yet more important affairs of the great southern duchy of Benevento we have unfortunately but slender information. We have seen that before the death of Gregory II (731) Liutprand formed an alliance with the Exarch, in order that he might repress the rebellious tendencies of the dukes of Benevento and Spoleto. The duke of Benevento against whom this alliance was pointed is generally supposed to have been Romwald II, who had married Gumperga, niece of Liutprand. That theory cannot be disproved, but as Romwald seems to have reigned in peace with his great kinsman for many years, and as his death possibly occurred in 730[1], I am disposed to conjecture that it was the troubles arising out of that event which necessitated the interference of Liutprand. Paulus tells us that 'on the death of Romwald there remained his son Gisulf, who was still but a little boy. Against him certain persons rising up sought to destroy him, but the people of the Beneventans, who were always remarkable for their fidelity to their leaders, slew them and preserved the life of their [young] duke.'

Death of Romwald II.

[1] According to the suggestion of Holder-Egger (Neues Archiv, iii. 255). If Romwald's death occurred a year later it is still possible that the hostile party whose designs against young Gisulf are mentioned below may have troubled the last years of his father's life.

This is all that the Lombard historian tells us, but from an early catalogue of Beneventan dukes preserved at Monte Cassino[1] we learn that there was actually another duke, presumably an usurper, named *Audelais*, who ruled in Benevento for two years after the death of Romwald II. It is clear therefore that Liutprand's work at Benevento was a difficult one, probably not accomplished without bloodshed. Having doubtless fought and conquered Audelais, he installed in the Samnite duchy his own nephew Gregory (who had been before duke of Clusium[2]), and carried off his little kinsman Gisulf to be educated at Pavia. Here in course of time he gave him a noble maiden named Scauniperga to wife, and trained him for the great office which he was one day to hold.

Usurpation of Audelais.

732.

Gregory is a man of whom one would gladly hear something more, for it would seem that he must have been a strong and capable ruler, who in such a difficult position kept the Beneventan duchy so long quiet and apparently loyal: but all that we know is that after ruling for seven years he died, apparently a natural death, and that *Gottschalk* was raised to the dukedom, evidently as an act of rebellion against the over-lordship of Pavia. Of Gottschalk also we hear very little except that his wife was named Anna, and from the emphatic way in which this lady is mentioned one conjectures that it was feminine ambition which urged Gottschalk to grasp the dangerous coronet. Three years

Gregory, duke of Benevento, 732–739.

Gottschalk, a rebel duke.

739–742.

[1] The Catalogus Regum Langobardorum et Ducum Beneventanorum (Scriptores Rerum Langobardicarum in M. G. H. p. 494). Hirsch (p. 36) called attention to this important entry.

[2] See copy of an inscription at Chiusi by Duke Gregory in Troya, No. ccccxxxv. Troya disputes the identity of this Gregory with the duke of Benevento, but I think without justification.

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he reigned, and then at last Liutprand, having put in order the affairs of Spoleto and other matters which needed mending, drew near to Benevento. At the mere rumour of his approach Gottschalk began to prepare for flight to Greece [1]. A ship was engaged, probably at Brindisi or Taranto, and laden with his treasures and his wife, but ere the trembling duke himself could start upon his hasty journey along the great Via Trajana, the Beneventans who were loyal to young Gisulf and the house of Romwald rushed into his palace and slew him. The lady Anna with her treasures arrived safely at Constantinople.

Gisulf II, duke, 742–751.

King Liutprand arriving at Benevento seems to have found all opposition vanished, and to have settled all things according to his will. He installed his great-nephew Gisulf as duke in his rightful place [2], and returned victorious to Pavia. The reign of *Gisulf II* lasted for ten years, and overpassed the life of Liutprand and the limits of this volume.

Association of Hildeprand as colleague with Liutprand.

In order to give a connected view of the changes which occurred at Benevento, it has been necessary to travel almost to the end of the reign of Liutprand. We must now return to the year 735, three years after he had suppressed the usurpation of Audelais of Benevento. It was apparently in May of this year [3] that a strange event happened, and one which as it would seem somewhat overcast by its consequences the last nine years of the great king's reign. He was seized with a dangerous sickness, and seemed to be

[1] 'Atque in Greciam fugere molitus est' (Paulus, H. L. vi. 57). Observe that Constantinople is now in 'Grecia.'

[2] 'Gisulfum suum nepotem iterum in *loco proprio* ducem constituunt.'

[3] So Holder-Egger in Neues Archiv, iii. 256.

drawing near to death. Without waiting for that event, however, the precipitate Lombards, perhaps dreading the perils of a disputed succession, raised his nephew Hildeprand to the throne. The ceremony took place in that Church of the Virgin which the grateful Perctarit erected outside the walls in the place called *Ad Perticas* [1]. When the sceptre was placed in the hand of the new king men saw with a shudder that a cuckoo came and perched upon it. To our minds the incident would suggest some harsh thoughts of the nephew who was thus coming cuckoo-like to make use of his uncle's nest; but the wise men of the Lombards seem to have drawn from it an augury that 'his reign would be a useless one.' When Liutprand heard what was done he was much displeased, and indeed the incident was only too like that of the Visigothic king [2] who in similar circumstances was made an involuntary monk, and so lost his throne. However, after what was perhaps a tedious convalescence Liutprand bowed to the inevitable and accepted Hildeprand as the partner of his throne. He must have been a man with some reputation for courage and capacity, or he would not have been chosen by the Lombards at such a crisis; but nothing that is recorded of him seems to justify that reputation. Both as partner of his uncle and as sole king of the Lombards, the word which best describes him seems to be that chosen by the historian, *inutilis.*

Of the years between 735 and 739 we can give no accurate account. They may have been occupied by operations against Ravenna. There are some slight

[1] See p. 303.

[2] Wamba (680).

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indications that Transamund of Spoleto was making one of his usual rebellions[1]. It was perhaps during this time that the strong position of Gallese on the Flaminian Way, which had somehow fallen into the hands of the Lombards and had been a perpetual bone of contention between Rome and Spoleto, was redeemed by the Pope for a large sum of money paid to Transamund[2], a transaction which may have laid the foundation of the alliance between that prince and Gregory, and at the same time may easily have roused the displeasure of Liutprand. But the most important event in these years was probably Liutprand's expedition for the deliverance of Provence from the Saracens. His brother-in-law Charles Martel, with whom he seems to have been throughout his life on terms of cordial friendship, had sent him his young son Pippin that he might, according to Teutonic custom, cut off some of his youthful locks and adopt him as *filius per arma*[3]. The ceremony was duly accomplished, and the young Arnulfing having received many gifts from his adoptive father returned to his own land. He was one day to recross the Alps, not as son of the Mayor of the Palace, but as king of the Franks, and to overthrow the kingdom of the Lombards. But now came a cry for help from the real to the adoptive father of the young warrior. The Saracens from their stronghold in Narbonne had pressed up the valley of the Rhone.

Liutprand's adoption of Pippin.

[1] The allusions of Paulus to the rebellion of Transamund and the rule of Hilderic at Spoleto (H. L. vi. 55) seem to require more time than is usually allowed for these events.

[2] Liber Pontificalis, Vita Gregorii III.

[3] As Pippin was born in 714, we may put this ceremony almost anywhere between 730 and 740. Perhaps on account of Liutprand's sickness in 735, 736 is as probable a date as any.

737.[1]

Liutprand helps Charles Martel against the Saracens.

Avignon had been surrendered to them; Arles had fallen; it seemed as if they would make Provence their own and would ravage all Aquitaine. At the earnest entreaty of Charles Martel, who sent ambassadors with costly presents to his brother-in-law, Liutprand led the whole army of the Lombards over the mountains, and at the tidings of his approach the Saracens left their work of devastation and fled terrified to their stronghold.

Rebellion of Transamund of Spoleto.

In 739 the storm which had long been brewing in Central Italy burst forth. Transamund of Spoleto went into open rebellion against his sovereign. Gottschalk, as we have seen, in this year usurped the ducal throne of Benevento, and Pope Gregory III having formed a league with the two rebel dukes defied the power of Liutprand. The king at this time dealt only with Spoleto. He marched thither with his army; Transamund fled at his approach, taking refuge in Rome. In June, 739, Liutprand was signing charters in the palace of Spoleto[2], and appointed one of his adherents named *Hilderic* duke in the room of Transamund. He then marched on Rome, and as Gregory refused to give up his mutinous ally he took four frontier towns (Ameria, Horta, Polimartium, and Blera[3]) away from the *Ducatus Romae* and joined them to the territory of the Lombards, whose border was now indeed brought perilously near to Rome.

Hilderic made duke in his stead.

Capture of four cities in the Duchy of Rome.

[1] [Muratori and Crivellucci (S. S. v. 128) assign these events to 739.]

[2] A charter so signed, dated June 16, confirming to the monastery of Farfa all grants from the dukes of Spoleto, is still extant in the Registrum Farfense (see Neues Archiv, iii. 258).

[3] Amelia, Orte, Bomarzo, and Bieda.

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Having accomplished these changes Liutprand returned to Pavia.

Pope Gregory appeals to Charles Martel for help.

The policy, perhaps we ought to say the intrigues, of Gregory III had so far been a failure. By his alliance with the rebellious dukes he had only made the most powerful man in Italy his enemy, and had lost four frontier cities to the Lombards. Help from distant and unfriendly Byzantium, help from the Exarch who was himself trembling for the safety of Ravenna, if not actually an exile from its walls, were equally unattainable. In these circumstances Gregory III entered again upon the policy which Pelagius II had pursued a century and a half before, and called on the Frank for aid. Writing to 'his most excellent son, the *subregulus* lord Charles,' he confided to him his intolerable woes from the persecution and oppression of the Lombards. The revenues appropriated to the maintenance of the lights on St. Peter's tomb had been intercepted, and the offerings of Charles himself and his ancestors had been carried off[1]. The Church of St. Peter was naked and desolate; if the Frankish 'under-king' cared for the favour of the Prince of the Apostles and the hope of eternal life, he would hasten to her aid[2].

As this letter was ineffectual, another was despatched in more urgent terms[3]. 'Tears,' said Gregory, 'were

[1] As it is not suggested that the Lombards had entered Rome, this must allude to some property in the neighbourhood of Rome which had been ravaged by them.

[2] [It should be mentioned that according to the continuer of 'Fredegarius' (M. G. H., SS. Rerum Merov. pp. 178–9) the Pope's first embassy in 739 brought the keys and chains of St. Peter and the honour of the Roman consulship to Charles Martel.]

[3] The editor of the Codex Carolinus in M. G. H. dates this second letter 740.

his portion night and day when he saw the Church of God deserted by the sons who ought to have avenged her. The little that was left of the papal patrimony in the regions of Ravenna, and whose revenues ought to have gone to the support of the poor and the kindling of the lights at the Apostolic tomb, was being wasted with fire and sword by Liutprand and Hildeprand the Lombard kings, who had already sent several armies to do similar damage to the district round Rome, destroying St. Peter's farm-houses and carrying off the remnant of his cattle. Doubtless the Prince of the Apostles could if he pleased defend his own, but he would try the hearts of those who called themselves his friends and ought to be his champions. Do not believe,' urges the Pope, 'the false suggestions of those two kings against the dukes of Spoleto and Benevento, as if they had committed any fault. All these stories are lies. Their only crime is that last year they refused to make an inroad upon us from their duchies and carry off the goods of the Holy Apostles, saying that they had made a covenant with us which they would keep. It is for this cause that the sword rages against them, and that those most noble dukes are degraded, and the two kings are making their own wicked followers dukes in their room. Send we pray you some faithful messenger, inaccessible to bribes, who shall see with his own eyes our persecution, the humiliation of the Church of God, the desolation of His property, and the tears of the foreigners [who are dwelling in Rome [1]]. Before God and by the coming judgment we exhort you, most Christian son, to come to St. Peter's help, and with all speed to beat back

[1] So apparently we must understand 'et peregrinorum lacrimas.'

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740.

those kings and order them to return to their own homes. I send you the keys of the chapel[1] of the blessed Peter, and exhort you by them and by the living and true God not to prefer the friendship of the kings of the Lombards to that of the Prince of the Apostles, but to come speedily to our aid, that your faith and good report may be spread abroad throughout all the nations, and that we may be able to say with the prophet, "The Lord hear thee in the day of trouble, the name of the God of Jacob defend thee."'

Charles refuses to interfere.

The passionate appeals of the Pope failed of their effect. Charles Martel, as we have seen, was not himself morbidly scrupulous in the respect which he paid to the property of the Church. He probably did not believe, as posterity has not believed, that the sole fault of the two dukes was their refusal to invade the Roman territory. He rather saw in them two rebellious servants who were trying to sanctify their own turbulent courses by a pretence of defending the property of St. Peter. He himself was Liutprand's kinsman, his son had lately received a hospitable welcome at his court, his own cry for help against the Saracens had been generously responded to by the Lombard king. Decidedly he would not interfere against him, nor leave the plains of Provence a prey to the Saracens of Narbonne in order to win back for the angry Pope the towns which he had lost by his own rash meddling in the game of politics.[2]

Transamund expels Hil-

This being so, Transamund determined to try what he could effect by his own power, aided by the militia

[1] 'Confessionis.'

[2] [It should be added that Charles had already (739) begun to sicken of the illness of which he died.]

deric and recovers Spoleto. 740 (?).

of the *Ducatus Romae*[1]. He and his allies divided themselves into two bands, one of which invaded the southern part of the duchy, marching by the old Via Valeria, through the country of the Marsi and Peligni, passing the northern border of the Fucine lake, and receiving the submission, but not the willing submission, of the chief towns in this part of the duchy[2]. The other troop, which was probably led by Transamund himself, marched along the Salarian Way, received the submission of Reate, and made all the old territory of the Sabines subject to the rebel duke. By December[3] Transamund was again in his old palace of Spoleto, had slain his rival Hilderic, and resumed all his former audacity of rebellion against his king.

Transamund breaks his promise to the Pope.

The open alliance of the Pope and the rebel dukes, the easy reconquest of Spoleto, the always disloyal attitude of Gottschalk at Benevento caused Liutprand and his Lombard counsellors great anxiety. As the Papal biographer says, 'There was great disturbance of spirits between the Romans and the Lombards, because the Beneventans and Spoletans held with the Romans.' The unnatural alliance however was of short duration. Solemnly as Transamund had promised that if he recovered his duchy he would restore the four

[1] 'Transimundus vero dux, habito consilio cum Romanis collectoque generaliter exercitu ducatus Romani, ingressi sunt per duas partes in fines ducatus Spolitini' (Lib. Pont., Vita Zachariae, p. 426).

[2] 'Qui continuo, timore ductus prae multitudine exercitus Romani, eodem Transimundo se subdiderunt Marsicani [= Marsi] et Furconini [Furcona near Aquila] atque Valvenses [Valva near Corfinium] seu Pinnenses [Pinna, now Penne, about 15 miles west of Pescara'] (Ibid.).

[3] December of 739 or of 740? The text of the Liber Pontificalis is defective, but Duchesne shows good reason for thinking it was the latter.

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lost cities to the *Ducatus Romae*; when he was once securely seated in the palace of Spoleto he broke all his promises, and the towns which had been lost for his sake by the Romans continued Lombard still. On this the Pope withdrew the aid, whatever it was worth, which he had afforded to Transamund, and left Liutprand to deal with the two rebel dukes alone.

March of Liutprand to the south. 742.

For some reason, however, possibly on account of the events hereafter to be related in connection with the capture and reconquest of Ravenna, something like two years elapsed after Transamund's expedition before Liutprand set forth to recover Spoleto. During this interval Gregory III died (December 10, 741), and was succeeded after an unusually short interval by Zacharias, a Pope of Greek origin, whose memorable pontificate lasted ten years. Liutprand marched through the Pentapolis, and on the road between Fano and Fossombrone [1] in the valley of the Metaurus sore peril overtook him. The two brave brothers of Friuli, Ratchis and Aistulf, both now loyally serving the Lombard king, commanded the van of the army, and when they reached a certain forest between those two towns they found the Flaminian Way blocked, and a strong force of Spoletans and Romans posted to dispute the passage [2]. Great loss was inflicted on the advancing army, but the prowess of Ratchis, his brother, and a few of their bravest henchmen, on whom all the weight of battle fell, redeemed the desperate day. A certain Spoletan champion named Berto called on Ratchis by name, and rushed upon him with lance in

Death of Gregory III.

Zacharias Pope, 741–752.

Battle of the Metaurus.

[1] Fanum and Forum Sempronii.

[2] Probably Romans from the Pentapolis, but possibly also detached members of the army which had replaced Transamund in Spoleto.

rest, but Ratchis unhorsed him with his spear. The followers of Ratchis would have slain him outright, but he, pitiful by nature, said 'Let him live,' and so the humbled champion crawled away on hands and knees to the shelter of the forest. On Aistulf, as he stood upon the bridge over the Metaurus, two strong Spoletans came rushing from behind, but he suddenly with the butt end of his spear swept one of them from the bridge, then turned swiftly to the other, slew him, and sent him after his comrade [1].

Liutprand's bargain with the Pope.

Meanwhile the new Pope Zacharias had contrived to have an interview with the Lombard king, and had received his promise to surrender the four towns. Upon this the Roman army followed Liutprand's standards, and Transamund (according to the Papal biographer), seeing this conjunction of forces against him, recognised the hopelessness of the game, and surrendered himself and his city to Liutprand, who set up his nephew Agiprand as duke in his place. Like Gregory of Benevento, Agiprand [2] had been duke of Clusium before he was thus promoted to the rule of a great semi-independent duchy. As for Transamund, his turbulent career ended in the cloister. He was made a cleric, that is probably monk as well as priest, and exchanging the adventurous and luxurious life of a Lombard duke for the seclusion of the convent had abundant leisure to meditate on his conduct towards his father, upon whom eighteen years before he had forced the same life of undesired religiousness [3]. From Spoleto

Agiprand made duke of Spoleto instead of Transamund.

[1] Paulus, H. L. vi. 56.

[2] Otherwise called Asprand, and so entered in the list on p. 84.

[3] Quoting an Italian proverb, Achille Sansi (p. 51) says that Transamund thus received 'dates for figs.'

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Liutprand proceeded to Benevento, and, as we have seen, expelled the rebellious occupant from that duchy also.

742. Alleged conquest of Ravenna, and re-capture by the Venetians.

And here we must interrupt our survey of the changes which occurred in Central and Southern Italy, in order to notice an event of the greatest importance, to which unfortunately we are unable to assign a precise date. I allude to the conquest of Ravenna by the Lombards and its recovery by the Venetian subjects of the Empire. Thrice during the two centuries of Lombard domination had the neighbouring port of Classis been captured by the armies of Spoleto or of Pavia; but Ravenna herself, the city of the swamps and the pine-forest, had retained that proud attribute of impregnability which had made her ever since the days of Honorius the key-city of Northern Italy. Now she lost that great pre-eminence, but how we know not. When one thinks how even Procopius or Zosimus, to say nothing of Thucydides or Xenophon, would have painted for us that fateful siege, it is difficult not to murmur at the utter silence of the Grecian Muse of History at this crisis. Even a legend of the capture from the pen of the foolish Agnellus might have shed forth a few rays upon the darkness, but Agnellus seems never to have heard of this disaster to his native city. All that we have certainly to rely on is contained in the following sentences from Paulus[1], which come immediately after his account of Liutprand's expedition against the Saracens of Provence:—

'Many wars, in truth, did the same King Liutprand wage against the Romans, in which he ever stood forth victorious, except that once in his absence his army was cut to pieces at Ariminum, and at another time

[1] H. L. vi. 54.

when the king was abiding at Pilleus[1] in the Pentapolis, a great multitude of those who were bringing him gifts and offerings and presents[2] from various Churches were either slain or made captive by the onrush of the Romans. *Again, when Hildeprand the king's nephew and Peredeo duke of Vicenza were holding Ravenna, by a sudden onset of the Venetians Hildeprand was made prisoner, and Peredeo fell fighting bravely*[3]. In the following time also, the Romans, as usual swollen with pride, came together from all quarters under the command of Agatho duke of Perugia, hoping to take Bologna, where Walcari, Peredeo and Rotcari were abiding in camp. But these men rushing upon them, made a terrible slaughter of their troops, and compelled the others to take flight.' Paulus then goes on to describe the revolt of Transamund, which happened 'in these days.'

This paragraph of Paulus is dateless, unchronological, and confused beyond even his usual manner. It will be seen that he makes Peredeo come to life again, and work havoc among the Romans after he has fallen fighting bravely with them. But with all its blemishes the paragraph is a most important addition to our knowledge. It shows us that Ravenna was actually captured by the Lombards in the reign of Liutprand, for if it had not been captured it could not have been 'held by his nephew and Peredeo[4].' And

[1] Pennabilli on the Marecchia.

[2] Exenia vel benedictiones.

[3] 'Rursus cum Ravennam Hildeprandus regis nepos et Peredeo, Vicentinus dux optinerent, inruentibus subito Veneticis, Hildeprandus ab eis captus est, Peredeo viriliter pugnans occubuit.'

[4] The arguments of Martens (usually a most helpful guide) against this capture in his Excurs, 'Wurde Ravenna schon von

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further we learn that the city thus lost to the Empire was really and truly recovered for it *by the Venetians*. As Paulus wrote in the latter part of the eighth century, when the Venetians were still but a feeble folk, clustering together at the mouths of the Adige and the Piave, we may receive his testimony as to this brilliant exploit on their part without any of that suspicion which must attach to the vaunts of the chroniclers of a later day, the patriotic sons of the glorious Queen of the Adriatic.

Venetia in the eighth century.

In speaking of the Venetians as performing this feat, we must remember that though the race might last on unchanged into the Middle Ages, their home did not so continue. The network of islands bordering the Grand Canal, on which now rise the Doge's Palace, the Church of S. Maria della Salute, and all the other buildings which make up the Venice of to-day, may have been but a cluster of desolate mud-banks when Liutprand reigned in Pavia. The chief seats of the Venetian people at the time with which we are dealing were to be found at Heraclea, Equilium, and Methamaucus. The first of these cities, which according to some authors was named after the Emperor Heraclius, was probably situated five miles from the sea, between the mouths of the Livenza and the Piave, but even its site is doubtful, for the waters of the marsh now flow over it[1].

Heraclea.

Equilium.

Equilium, which was for centuries the rival of Heraclea, and was partly peopled by fugitives from Opitergium when Grimwald executed vengeance on

König Liutprand eingenommen?' seem to me quite to overpass the limits of permissible historical scepticism.

[1] So says Filiasi, Memorie de' Veneti, vi. 2. 72–80.

that city, was about seven miles south of Heraclea and not far from Torcello. It too is now covered by the waters, partly the fresh water of the river Sile, partly the salt water of the Adriatic. All the long-lasting hatreds of these two neighbour towns sleep at last beneath the silent lagune.

Methamaucus (Malamocco).

As for Methamaucus, which was in the eighth century a considerable city, it is now represented only by the few houses erected on the long island of Malamocco. The Venice of the Middle Ages built on the various islets which bore the name of Rivus Altus (Rialto) was not founded till nearly seventy years after the death of Liutprand.

First duke of Venice, 700.

Somewhere about the year 700[1] the inhabitants of the various islands which formed Venetia Maritima seem to have tightened the bonds of the loose confederacy which had hitherto bound them, and for the 'tribunes' who had hitherto ruled, each one his own town or island, substituted a 'duke,' whose sway extended over the whole region of the lagunes, and who was the first of the long line of the Doges of Venice. We say that the Venetians did this, and reading the events of 700 by the light of eleven centuries of later history we involuntarily think of the Venetian people as the prime movers in this peaceful revolution, and we invest the first duke, *Paulitio Anafestus*[2], with

[1] Various dates from 697 to 713 are assigned for the institution of the dogeship. The former date, being that given by Dandolo, is generally accepted; but in the utter uncertainty of all these early Venetian dates, I think the historical student may be very well satisfied with an approximation, thus, 'First Doge 700; foundation of the city of the Rialto 810.'

[2] Double names have begun to be used at this time; witness the Exarchs, Theodore Calliopas and Joannes Rizocopus. Other-

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the bonnet and mantle of his well-known successors, the Dandolos and Foscaris of the Middle Ages. Yet we may be sure that the ruler of the *Ducatus Venetiae* was at this time a much more insignificant person than his successors of the eleventh and twelfth centuries; and we might perhaps admit into our minds a doubt whether he was anything else than an official selected for his post by the Emperor or the Exarch, and whether popular election had anything whatever to do with his appointment in those early days.

Paulitio, first duke.

However this may be, the new office seems at first to have successfully accomplished the purpose for which it was created. Paulitio of Heraclea, the first duke, reigned for twenty years in peace. His fellow-townsman and successor, Marcellus (who seems to have held under him the important office of Master of the Soldiery), had also a peaceful reign of about nine years[1]. But Ursus, also a citizen of Heraclea, who according to the accepted chronology ruled the Venetian state from 726 to 737, met with a violent death, the cause of which we can only conjecture, but which may possibly have been connected with the bitter disputes that seem to have been constantly occurring between the two neighbour cities of Heraclea and Equilium[2]. It is clear, however, that there was something like a revolution in Venetia Maritima.

Marcellus, second duke.

Ursus, third duke.

'The Venetians,' says the chronicler, 'who, moved by bitter envy, had slain Ursus, for the space of five

wise we might perhaps conjecture that the early records mentioned two dukes, Paulitio and Anafestus, whose names in their perplexity the chroniclers have amalgamated into one.

[1] According to Joannes Diaconus, eighteen years.

[2] This is the conjecture of Filiasi, vii. 126.

years determined to remain subject only to Masters of the Soldiery[1].' The revolt evidently was against the authority of one man raised for life above the level of his fellow-citizens; and the revolution had for its object the substitution of yearly magistrates, whom, now at any rate, after the partial disruption of the bonds which united Italy to the Empire, we may speak of as elected by the people. For five years (737–741 according to Dandolo) the Masters of the Soldiery performed their brief functions: their names being Leo, Felix surnamed Cornicula, Deusdedit (son of the murdered Ursus), Jubianus (or Jovianus) surnamed Hypatus (the Consul), and Joannes Fabriacus. At the end of the year's Mastership of the last named, his eyes were torn out, and 'the Venetians, abominating the office of Master of the Soldiery, again as before created for themselves a duke in the island of Malamocco, namely Deusdedit, the son of the aforesaid Ursus Hypatus, and his reign lasted for thirteen years.'

Magistri Militum for five years.

742 (?).

It has been necessary to give this glance at the obscure and intricate subject of primitive Venetian history in order to introduce the only other early authority besides Paulus who mentions the capture and recovery of Ravenna. This is Joannes Diaconus (formerly called Sagorninus), who wrote near the end of the tenth century, that is to say 250 years after the events of which we are now speaking, but whose testimony is for many reasons worthy of consideration. After describing the election of the fourth Master of the Soldiery, Jovianus Hypatus, he says:—

Joannes Diaconus on the conquest of Ravenna.

[1] 'Unde postmodum Venetici illum acri livore interimentes, quinque annorum spatio magistris militum tantummodo subditi manere voluerunt' (Joannes Diaconus, ed. Monticolo, p. 95).

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'In his days the Exarch, the foremost man of Ravenna[1], came to Venetia and earnestly entreated the Venetians to give him their help to enable him to guard and defend his own city, which Hildeprand, nephew of King Liutprand, and Peredeo, duke of Vicenza, had captured[2]. The Venetians, favouring his petition, hastened with a naval armament to the aforesaid city of Ravenna; whereupon one of them [the Lombard invaders], namely Hildeprand, was taken alive by them, but the other, named Peredeo, fell fighting bravely, and the city was thus handed over in good order[3] to the aforesaid Exarch, its chief governor; on account of which thing Gregory also, the Apostolicus[4] of the City of Rome, desiring with all his heart the succour of the said city, had written with his own hand a letter to Antoninus, Patriarch of Grado, telling him that he ought with loving entreaty to induce the Venetians to go to the defence of the same city:—

Letter of Pope Gregory to

"Gregory to his most beloved brother Antoninus:—

"Since, as a punishment for our sins, the city of

[1] 'Ravennae primas.'

[2] 'Nimiumque Veneticos postulans quatenus propriam urbem, quam Ildebrandus, nepos Liubrandi regis, et Paradeus Vicentinus dux, captam habuerant, tueri atque defendere eorum auxiliis potuisset' (Cron. Veneziane Antichissime, p. 95). We should have expected 'recuperare' rather than 'tueri atque defendere,' as Ravenna was already lost. I give in the text the forms of the names as we have them in Paulus Diaconus, but the reader will observe that already by the time of Joannes Diaconus the Lombard p's have been softened again into b's.

[3] 'Decenter est restituta.'

[4] The Pope. In William of Tudela's Song of the Albigensian Crusade, written in the early part of the thirteenth century, the Pope is always called 'l'Apostolis.'

Antoninus, Patriarch of Grado.

Ravenna, which was the head of all things[1], has been taken by the unspeakable nation of the Lombards, and our son the excellent Lord Exarch tarries, as we have heard, in Venetia[2], your brotherly Holiness ought to cleave unto him, and in our stead strive alongside of him, in order that the said city of Ravenna may be restored to its former *status* in the holy Republic[3], and to the Imperial service of our lords and sons the great Emperors Leo and Constantine, that with zealous love to our holy faith we may by the Lord's help be enabled firmly to persevere in the *status* of the Republic and in the Imperial service.

"May God keep you in safety, most beloved brother."'

Dandolo's version of the same events.

So far Joannes Diaconus, whose narrative, as I have already said, is really the only information that we have, except the few meagre sentences in Paulus, as to an immensely important event, the capture of Ravenna by the Lombards and its recovery by the Venetians. It is true that we have in the history of Andrea Dandolo a repetition of the same story, with slightly different circumstances. In that version the event takes place some ten years earlier, and the chief actors are not Gregory III and the Master of the Soldiery, Jovianus, but Gregory II and the Duke, Ursus. Bût Dandolo published his Chronicon in 1346, and though it is a noble work, invaluable for the history of Venice in her most glorious days, it must remain a matter of doubt whether for this earliest period he

[1] 'Ravenantium civitas, qui (*sic*) caput erat omnium.'

[2] 'Apud Venetias.'

[3] 'Ut ad pristinum statum sancte reipublicae . . . . revocetur.'

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had any other trustworthy materials before him than those which three centuries and a half earlier were at the disposal of Joannes Diaconus. Referring the reader to a Note at the end of this chapter[1] for a fuller discussion of this question, I will briefly summarise the results at which we have arrived with reference to the sieges of Ravenna by the Lombards in the eighth century.

Summary of results as to sieges of Ravenna.

Somewhere about the year 725, or perhaps earlier, Farwald II, duke of Spoleto, took the port of Classis, but at the command of Liutprand restored it to the Empire.

A little later Liutprand again took Classis and besieged Ravenna, but apparently failed to take it.

Towards the end of the fourth decade of the century, probably after 737, Liutprand's nephew and colleague, Hildeprand, with the assistance of Peredeo the brave duke of Vicenza, besieged Ravenna, and this time succeeded in taking it. The Exarch (who was probably Eutychius, but this is not expressly mentioned) took refuge in the Venetian islands, and sought the help of the dwellers by the lagunes to recover the lost city. Pope Gregory III added his exhortations, which he addressed to the Patriarch of Grado, the spiritual head of the Venetian state. A naval expedition was fitted out: Hildeprand was taken prisoner, his comrade Peredeo slain, and the city restored to the Holy Roman Republic. This recapture took place, if we may depend on the somewhat doubtful Venetian chronology, in the year 740.

We now return to the main stream of Lombard

[1] Note F. Correspondence of Pope Gregory III with the Venetians.

history as disclosed to us by the Life of Pope Zacharias in the Liber Pontificalis.

Meeting of Zacharias and Liutprand at Terni, 742.

In the year 742 Liutprand was at the zenith of his power, unquestioned lord of Spoleto and Benevento and on friendly terms with the Pope. He lingered however, or seemed to linger, over the fulfilment of his promise to restore the four frontier towns which he had taken, three years before, from the *Ducatus Romae*. Zacharias therefore determined to try the expedient of a personal interview, and set forth, attended by a large train of ecclesiastics, for the city of Interamna (Terni), where the king was then residing [1]. It was necessary for the party to pass through Orte, one of the four cities for whose restoration he was clamouring, and there they were met by a Lombard courtier named Grimwald, whom Liutprand had courteously sent to act as the Pope's escort. Under Grimwald's guidance they reached the city of Narni, with its high Augustan bridge [2]; and here they were met by a brilliant train of nobles and soldiers, who accompanied them along the eight miles of road up the valley of the Nar to where Terni stands in the fertile plain and listens to the roar of her water-falls. It was on a Friday that they thus in solemn procession entered the city where Liutprand held his court, and were met by the king himself and the rest of his courtiers at the church of the martyred bishop Valentinus. Mutual salutations passed, prayers were offered, the two potentates came forth from the church together,

[1] The diary of the journey, which seemed to the excited imaginations of the ecclesiastics an act of heroic self-sacrifice and courage, is preserved to us by the Papal Biographer, who was himself evidently one of the Pope's train of followers.

[2] See vol. iv. p. 292 for a little further description of the road.

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and then the King walked in lowly reverence[1] beside the Pope for half a mile, till they reached the place outside the city where the tents were pitched for both host and guest. And there they abode for the rest of the day.

On Saturday there was again a solemn interview. Zacharias delivered a long address to the Lombard king, exhorting him to abstain from the shedding of blood and to follow those things which make for peace. Touched, as the ecclesiastics believed, by the eloquence of their chief, Liutprand granted all and even more than all that was asked for. The four cities and their inhabitants were given back, but not, if we may believe the biographer, to Leo and Constantine the Emperors, but to the holy man, Zacharias, himself. Large slices of the Papal patrimony which had been lost in the earlier and troublous times were now restored. One such slice, in the Sabine territory, had been withheld from the Papacy for near thirty years. The others were at Narni and Osimo, at Ancona and the neighbouring Humana, and the valley which was called Magna, in the territory of Sutrium. All these possessions were solemnly made over by Liutprand to 'Peter prince of the Apostles,' and a peace for twenty years was concluded with the *Ducatus Romae*. There were many captives whom Liutprand had taken from divers provinces of the Romans and who were now detained in the fortresses of Tuscany or the region beyond the Po. Letters were sent by the king ordering that all these should be set free. Among these

Treaty of Terni.

[1] 'Ab eâdem ecclesiâ egressus in ejus obsequium dimidium fere miliarium perrexit.' What the outward marks of 'obsequium' were we are not informed.

liberated captives were certain magnates of Ravenna, Leo, Sergius, Victor, and Agnellus. All apparently bore the title of Consul, and Sergius was possibly the same who was afterwards Archbishop of Ravenna.

This last statement certainly seems to confirm the theory that the capture of Ravenna by the Lombards had taken place not many years before the treaty of Terni. Is it not probable that the illustrious prisoner on the other side who had been captured at the reconquest of the city, Hildeprand the king's nephew and colleague, was restored at the same time, and that the possession by the enemy of so important a hostage had something to do with the wonderfully yielding temper of Liutprand? Such is the very reasonable suggestion made by an eminent Italian scholar [1], but it should not be regarded as anything more than a conjecture.

On Sunday there was a great ecclesiastical function in the church of St. Valentinus. At the request of the King, the Pope ordained a bishop for a town in the Lombard territory [2]. The King with all his dukes and *gastalds* [3] witnessed the rite of consecration, and were so much moved by the sweetness of the Pope's sermon and the earnestness of his prayers that most of them were melted into tears. Then when mass was ended the Pope invited the King to dinner. The meats were

[1] Pinton, in his article 'Veneziani e Langobardi a Ravenna,' Archivio Veneto, 1889.

[2] 'In locum Cosinensis antestitis qui transierat alium ordinavit episcopum.' As Cosenza seems too far off, Duchesne suspects a corruption of the text, and suggests as a possible reading Senensis.

[3] The meaning of this title will be explained in the last chapter of this volume.

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so good, the mirth of the company so genuine and unforced, that, as the King said, he did not remember that he had ever eaten so much and so pleasantly.

The four cities restored.

On Monday the two great personages took leave of one another, and the King chose out four of his nobles to accompany the Pope on his return journey and hand over to him the keys of the surrendered towns. They were his nephew Agiprand duke of Clusium [1], a *gastald* in immediate attendance on his person, named Tacipert, Ranning, *gastald* of Toscanella, a frontier town of the Lombards, and Grimwald, who had been the first to meet the Pope by the bridge of Narni. All was done as had been arranged. Amelia, Orte, Bomarzo, with their citizens, were handed over to the Pope's jurisdiction. In order to avoid the long and circuitous route by Sutri, the combined party struck across the Lombard territory by way of Viterbo (here the presence of the *gastald* of Toscanella was important for their protection), and so they reached the little town of Bieda thirty miles from Rome, which Grimwald and Ranning formally transferred to the keeping of Zacharias.

The Pope's triumphal entry into Rome.

The Pope returned to Rome as a conqueror, and the people at his suggestion marched from the Pantheon [2] to St. Peter's singing the Litany. This expression of gratitude to Almighty God took the place of the old triumphal march of Consul or Imperator along the Sacred Way and up the Clivus Capitolinus.

What was the character of

In what capacity were these cities given to the Pope? Was he recognised as their sovereign, or as

[1] Perhaps not yet installed as duke of Spoleto.

[2] Called at this time the Church of Sancta Maria ad Martyres, having been given by the Emperor Phocas to Boniface IV.

their proprietor? Were they still as absolutely part of the Empire as they were before Alboin entered Italy, although belonging to the Patrimony of St. Peter? or were they the germ of that new Papal kingdom which certainly was on the point of coming into existence? It is easy to suggest these questions, hard to answer them, especially for such a troublous time as that of the Iconoclastic controversy, when *de jure* and *de facto* were everywhere coming into collision. One can only say that the words of the Papal biographer, if he may be depended upon, seem to imply sovereignty as well as ownership.

742. this donation by Liutprand?

The events just related seem to have filled the page of Lombard history for 742. In the following year Liutprand resumed his preparations for the conquest of Ravenna and the region round it. Terribly indeed had this little fragment of the Roman Empire in the north of Italy now shrunk and dwindled. Cesena, only twenty-five miles south of Ravenna, had become by the loss of the Pentapolis a frontier city, and even Cesena now fell into the hands of the Lombards. Eutychius the Exarch, John the Archbishop, and all the people of Ravenna, with the refugees from the Pentapolis and from the province of Aemilia, sent letters to the Pope imploring his assistance. Thereupon Zacharias by the hands of Benedict bishop of Nomentum and Ambrose chief of the notaries, sent gifts and letters to Liutprand, entreating him to abandon his preparations for the siege and to restore Cesena to the men of Ravenna. The embassy however returned, having accomplished nothing, and thereupon Zacharias determined once more to try the effect of a personal interview.

Liutprand renews his operations against Ravenna.

743.

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743. Zacharias journeys to Ravenna.

Handing over the government of Rome to Stephen, duke and patrician[1], he set forth along the great Flaminian Way to visit the theatre of war. 'At the church of St. Christopher, in a place called Aquila, the Exarch met him[2]. All the inhabitants of Ravenna, men and women, old and young, poured forth to greet the revered pontiff, crying out with tears, 'Welcome to our Shepherd who has left his own sheep and has come to rescue us who were ready to perish.'

Journey to Pavia.

Zacharias sent his messengers (again the chief notary Ambrose, who was accompanied by the presbyter Stephen) to announce his approach to the king. When they crossed the Lombard frontier at Imola they learned that some forcible resistance would be attempted to the Pontiff's journey. He received a letter from them to this effect, conveyed by a trusty messenger under cover of the night, but undismayed he determined to press on after his messengers, whom, as he rightly conjectured, Liutprand would refuse to receive. On the 28th of June he came to the place near Piacenza where the Via Aemilia crosses the Po. Here the nobles as before met him and conducted him to Pavia. Outside

[1] 'Relictâ Romanâ urbe jam dicto Stephano patricio et duci ad gubernandum.' Duchesne rightly remarks that this sentence seems to show that the *Dux Romae* was now in a position of confessed subordination to the Pope.

[2] 'Usque ad basilicam beati Christofori, positam in loco qui vocatur ad Aquila, quinquagesimo fere milliario a Ravennatium urbe.' Duchesne says that the site of this meeting has not yet been identified, but that it should be looked for near Rimini. Rimini however, according to the Antonine Itinerary, was only thirty-four miles from Ravenna; but even it was in the conquered Pentapolis. And can the frontier of the Exarchate have reached so far as fifty miles from Ravenna? I am inclined to suggest that we should read 'quindecimo' for 'quinquagesimo.'

the walls was a church of St. Peter named the Golden-ceilinged (ad coelum aureum), and here Zacharias celebrated Mass at 3 P.M. before he entered the city.

Interview with Liutprand.

The following day, the 29th of June, was that on which the Church had long celebrated the martyrdom of St. Peter and St. Paul, and Zacharias had no doubt had this in view when he so timed his journey that his interview with the king should take place on that day. Again a Mass was celebrated with great magnificence in St. Peter's basilica in the presence of the King. Then mutual salutations were exchanged; and they entered the city together. Next day there was a formal invitation to the Pope brought by the chief nobles of the kingdom, and then a solemn meeting in the royal palace. The Pope earnestly entreated the King to desist from his further enterprises against the city of Ravenna and to restore the conquests already made. For some time Liutprand showed himself obdurate, but at length he consented to restore the country districts round Ravenna of which he had made himself master, and along with them two-thirds of the territory of Cesena. The remaining third, and perhaps the city of Cesena itself, were to remain in Liutprand's hands as a pledge till the 1st of June in the following year, by which time it was hoped that an embassy which he had despatched to Constantinople would have returned with a favourable answer.[1]

King Liutprand restores most of his conquests near Ravenna.

[1] What the object of this embassy may have been we can only conjecture, as neither Paulus nor any other authority gives us any information concerning it. [In the first edition of this volume the author (p. 498) supposed that the embassy had been addressed to Constantine, the son and successor of Leo the Isaurian, after he had suppressed the rebellion of his iconoclastic brother-in-law Artavasdus. But this supposition and the deduction drawn from

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On the Pope's departure, Liutprand accompanied him as far as the Po, and sent with him certain dukes and other nobles, some of whom were charged to superintend the surrender of the territories of Cesena and Ravenna. 'Thus,' says the biographer, 'by the help of God the people of Ravenna and the Pentapolis were delivered from the calamities and oppressions which had befallen them, and they were satisfied with corn and wine.'

Death of Liutprand, January, 744.

The interview with the Pope at Pavia was one of the last public acts of the great Lombard king. In January, 744, after a reign of thirty-one years and seven months, Liutprand died, and was buried by the side of his father in the church of St. Adrian[1]. He was elderly[2], probably more than sixty years old, but not stricken in years. Had his wise and statesman-like reign been prolonged for ten years more, Italy had perhaps been spared some disasters.

Liutprand's great

We read with regret the song of triumph which the Papal biographer raises over the death of 'the intriguer

it that 'the policy of Liutprand was not so persistently hostile to the Iconoclastic Emperors as has been sometimes represented' should be swept aside in view of the author's subsequent acceptance of Prof. Bury's theory on the chronology of Theophanes. (English Historical Review, vol. xiii. pp. 283–9; Bury, Hist. of Later Roman Empire, ii. pp. 425–7). Since this theory places the death of Leo the Isaurian in 740 and the final overthrow of Artavasdus not earlier than November 743, it follows that it was the iconodulic claimant who was still ruling in Constantinople at the time of the negotiations of Liutprand and Zacharias, and it was therefore probably to him rather than to the iconoclast that the embassy was directed.]

[1] [So Paulus tells us. The body was afterwards removed to the church of S. Pietro in Ciel d'Oro.]

[2] 'Jam aetate maturus hujus vitae cursum explevit' (H. L. vi. 58).

and persecutor Liutprand.' His own recital shows how utterly inapplicable are these words to the son of Ansprand. He had in fact carried compliance with the Papal admonitions to the very verge of weakness and disloyalty to his people. There was evidently in him a vein of genuine piety of sympathy with men of holy life, illustrated by the fact that when the Saracens invaded Sardinia and profaned the resting-place of St. Augustine, Liutprand sent messengers who at a great price redeemed the body of the saint and transported it to Pavia, where it still reposes [1].

deference to the authority of the Pope.

Transportation of the body of St. Augustine.

Character of Liutprand.

In some respects the statesmanship of Liutprand seems to me to have been too highly praised. I do not find in the meagre and disjointed annals of his reign which I have with great difficulty tried to weave into a continuous narrative, the evidence of any such carefully thought-out plan with reference to the Iconoclastic controversy as is often attributed to him. To say that he presented himself as the champion of the Image-worshippers, and in some sort, of the independence of Italy, as against the tyranny of the Iconoclastic Emperors, seems to me to be making an assertion which we cannot prove. The one aim, as I have before said, which he seems to have consistently and successfully pursued was the consolidation of the Lombard monarchy and the reduction of the great dukes into a condition of real subjection to his crown. He availed himself (and what Lombard king would not have done so?) of any opportunity which offered itself for cutting yet shorter the reduced and fragmentary territories which still called themselves parts of 'the Roman Republic.' But both from policy and from his own

[1] Paulus, H. L. vi. 48.

devout temperament he was disinclined to do anything which might cause a rupture with the See of Rome, and the Popes perceiving this, often induced him to abandon hardly-earned conquests by appealing to 'his devotion to St. Peter.'

I cannot better close this chapter than by quoting the character of Liutprand given us by the loving yet faithful hand of Paulus Diaconus in the concluding words of that history which has been our chief guide through two dark and troubled centuries:—

Character of Liutprand as given by Paulus Diaconus.

'He was a man of great wisdom, prudent in counsel and a lover of peace, mighty in war, clement towards offenders, chaste, modest, one who prayed through the night-watches[1], generous in his almsgiving, ignorant it is true of literature, but a man who might be compared to the philosophers, a fosterer of his people, an augmenter of their laws.

'In the beginning of his reign he took many places from the Bavarians, ever trusting to his prayers rather than to his arms, and with the most jealous care maintaining peaceful relations with the Franks and the Avars.'

[1] 'Orator pervigil.'

NOTE E. ON THE ALLEGED LETTERS OF POPE GREGORY II TO LEO III.

THERE is no doubt that, as Theophanes tells us, Gregory II wrote to Leo III a letter on the question of image-worship, in which he remonstrated against the Emperor's pretension to change by his sole authority the ancient usages received from the fathers of the Church [1]. It is probable enough that, as is also hinted by Theophanes [2], more than one of such letters was written by the pontiff. But there is very grave reason to doubt whether these letters, or any of them, are now in existence.

In the first place, it is admitted by all that the Latin originals of these letters are not forthcoming.

Secondly, it is admitted that in the Acts of the Council of Nicaea (for the restoration of image-worship), the letters now alleged to have been written by Gregory to the Emperor do not appear, though they were certainly read at that Council [3], and though the Pope's letter to the Patriarch Germanus, which was also read at that assembly, does form part of the Acts of the Council.

Thirdly, the letters now produced were first published by Cardinal Baronius at the end of the sixteenth century, from the notes of a Jesuit named Fronton le Duc. They were then appended to the Acts of the Council of Nicaea [4], in which they now always appear: but it is quite admitted they they have no documentary claim to that position [5].

[1] *Γρηγόριος δ πάππας Ῥώμης ἔγραψε πρὸς Λέοντα ἐπιστολὴν δογματικήν, μὴ δεῖν βασιλέα περὶ πίστεως λόγον ποιεῖσθαι καὶ καινοτομεῖν τὰ ἀρχαῖα δόγματα τῆς ἐκκλησίας τὰ ὑπὸ τῶν ἁγίων πατέρων δογματισθέντα* (Theophanes, A.M. 6217).

[2] *ἐλέγξας τὸν Λέοντα δι' ἐπιστολῶν* (Id. A. M. 6221).

[3] This is fully admitted by Hefele (Conciliengeschichte, iii. 393). As he defends the genuineness of the letters he accounts for the omission by supposing that Leo had destroyed the letters which were sent to him, and so the Council had no copy ready at hand. (But if so, how could they have been read, as he states, p. 467, at the fourth session ?)

[4] Seventh General Council.

[5] The statement of Gibbon (chap. xlix. n. 33), 'The two Epistles of Gregory II have been preserved in the Acts of the Nicene Council,' is therefore incorrect, or at any rate requires explanation.

NOTE E. Fourthly, Fronton le Duc (as to whose good faith there is no question) copied, in 1590, the Greek text of the letters from a MS. which had belonged to the Cardinal of Lorraine, and which was in the library of St. Remi at Rheims. He made a Latin translation, and sent both texts, Greek and Latin, to Cardinal Baronius, who inserted them in his Annales Ecclesiastici.

Fifthly, since then, five other MSS. of the same letters have been discovered, all in Greek. The oldest, which is in the Vatican Library, is considered to date from the tenth or eleventh century. All the others, including that copied by Fronton le Duc, are of a comparatively late date, ranging from the fourteenth to the sixteenth century. For details as to their character and present domiciles I refer the reader to a very elaborate article by M. Louis Guérard in 'Mélanges d'Archéologie et d'Histoire,' 1890, pp. 44–60.

The external evidence then on behalf of the letters is fair, but not first-rate. It is evident that they were in existence some two or three centuries after the date of their alleged composition, but it is singular that there should be no Latin originals, and perhaps not altogether satisfactory that there should be no trace of them in the Papal Chancery.

We may therefore, without any constraint either way from documentary testimony, turn to consider the internal evidence afforded by the contents of the Epistles.

I. The greater part of the letters is of course taken up with an argument as to the theological aspect of the question, the distinction between reverence and worship, the difference between the idolatry of the Gentiles and proper reverence to the representations of the saints, the carving of the cherubim, the skill of Bezaleel and Aholiab, and so forth. With all this we have here no concern, but we must notice in passing the extraordinary blunder by which the writer makes Uzziah instead of his descendant Hezekiah the destroyer of the Brazen Serpent. That this is not a mere slip of the pen is shown by the fact that he rightly refers to the same Uzziah as a king who usurped the prerogatives of the priesthood. He also represents David as having brought the Brazen Serpent into the *Temple*, which was not built in his time.

II. The most striking characteristic of the letters and that which has always seemed to require explanation on the part of adherents of the Papacy is the extraordinary insolence of their tone. A few sentences may be cited as illustrations of this, but it would require some pages to quote all the rude and coarse invective of the writer:—

'It is necessary to write to you in a clownish and unlearned way, because you are yourself unlearned and clownish. We beseech you by God to lay aside the arrogance and pride with which you are overflowing, and with great humility listen to what I say.'

'Write to all whom you have caused to stumble and remove the offence, although you in your exceeding stupidity think that this is a matter of no consequence.'

'Turn away from these evil thoughts, I pray you, and free your soul from the scandal and execration with which you are loaded by the whole world, so that you are a laughing-stock even to little boys. Go to the elementary schools and say, "I am an overturner and persecutor of images," and at once they will throw their slates at your head, so that you will learn from the foolish the lesson which the wise could not teach you.'

'You talk about calling a general Council, which we do not think necessary. But imagine that we have listened to your advice, and that the bishops from all parts of the world are gathered together; where is the wise and pious and Christian Emperor who should sit in the middle to reward those who speak aright and to silence those who talk nonsense? Where is he, when you yourself oh Emperor are staggering about and imitating the barbarians? . . . Shut up and hold your tongue, and then there will be no need of a Council.'

'We entreat you by the Lord turn away from such juvenile and childish deeds.'

Let any one compare this coarse and scurrilous tirade with the sentences full of repressed indignation, but also full of courageous respectfulness, in which the first Gregory made his remonstrance to the Emperor Maurice. No: assuredly it was not in this strain that in the early part of the eighth century the Bishop of Rome (still a subject though a powerful one) addressed his sovereign, 'the most pious and serene Emperor.'

III. We come to difficulties raised by statements of fact

NOTE E. contained in the letters. At the outset Gregory is supposed to say to the Emperor that he received and treasured the letters written by him in the first ten years of his reign, namely, those of the fourteenth Indiction, of the fifteenth, of the first and so on to the ninth Indiction. The fourteenth Indiction extended from September 1, 715, to August 31, 716. Leo's formal accession and entry into Constantinople did not take place till March 25, 717, and though it is true that for some months before that time he had been in arms as a candidate for the Empire, it is most improbable that from his camp in the heart of Asia Minor he could find leisure to write letters on theological matters to the Roman pontiff, who moreover was then recognising his rival.

IV. After the supposed Gregory has told the story of the destruction of the great picture of the Saviour at Constantinople (which he calls Antiphonetes), he says, 'Then you, eager in your pursuit of evil, sent your guards and killed I know not how many women, in the presence of honourable men from Rome, from France, from the Vandals, from Mauritania, from Gothland, and, to speak in general terms, from all the Western interior. When these went to their own lands and described your juvenile and childish deeds, then men trampled down your laurelled effigies and hacked at your face, and the Lombards and the Sarmatians and the rest of the people who dwell in the North having levied their forces, infested the wretched Decapolis with their incursions, and occupied the metropolis Ravenna itself, and ejecting your magistrates appointed magistrates of their own.'

'Vandals,' 'men of Mauritania' (after the Saracen conquest), 'Gothland,' 'Sarmatians,'—is it conceivable that a Roman Pope would talk of these vanished nationalities in this way in the year 727? Some Eastern ecclesiastic or Greek rhetorician writing from the longitude of Constantinople, knowing little of 'the Western interior,' and thinking only of the victories of Belisarius and Narses, might easily use these mouth-filling names, but surely not Pope Gregory II. As for the occupation of Ravenna by the Lombards before 727, though that event is not impossible, the attempt to find a place for it without disturbing the natural order of events has hitherto made the reign of Liutprand the despair of chronologers.

V. 'But if you insolently threaten us,' says the supposed

Gregory, 'it is not necessary for us to descend into the contest with you: at twenty-four stadia (three miles) distance the Roman pontiff will withdraw into the region of Campania. Then come on, chase the wind.'

Contracted as the *Ducatus Romae* undoubtedly was, its frontier on the Campanian side must have been nearly one hundred miles distant from Rome. It would have been more to the purpose if the Pope had said that he would seek the country of the Sabines, as the Lombard frontier in the direction of Tivoli was only about twenty miles distant. But nothing can justify the wild assertion about the twenty-four stadia.

I have by no means exhausted all the improbabilities and incongruities which these letters contain: but what has been said will perhaps suffice to show that there is a very strong case against their genuineness. Since the question was mooted and attention was called to the weakness of the documentary evidence in their favour, almost all scholars who have carefully examined into the question (with the one important exception of Hefele) have pronounced against them. This is the verdict of Monticolo and Guérard, and above all of Abbé Duchesne, whose judgment, after his close and conscientious study of the Liber Pontificalis, is in itself almost decisive. He says, 'Je considère donc les prétendues lettres de Gregoire II comme ayant été fabriquées à Constantinople par quelque défenseur des images, pour suppléer à la perte des véritables.'

At least we may say that no historian of this period need henceforth trouble himself to find a place in his scheme for any event which only rests on the authority of the so-called letters of Gregory to Leo.

NOTE F. Correspondence of Pope Gregory III with the Venetians as to the recovery of Ravenna.

We must now consider the somewhat different questions raised by the correspondence of the third Gregory with the Venetians.

The letters in question are:—

1. A letter from a Pope named Gregory to Antoninus, Patri-

NOTE F. arch of Grado, exhorting him to stir up the Venetians to the recovery of Ravenna from the Lombards. This letter has been translated in full at p. 489. It is vouched for by the ancient chronicle of Venice, which is by general consent referred to Joannes Diaconus, chaplain of the Doge Orseolo II (991–1008).

2. A letter written in almost precisely the same terms, addressed also by a Pope named Gregory to Ursus, duke of Venice. This letter is vouched for by Andrea Dandolo, who was himself Doge of Venice from 1343 to 1354. It is quoted in the third chapter of the seventh book of his *Chronicon*, and is by him attributed to Gregory II.

We will first take the letter to the Patriarch Antoninus. Is it genuine? Apparently there is no trace of its existence in the Papal Chancery, but this is not such a strong argument as might be supposed against its authenticity, as the collection of Papal letters for the eighth century is obviously very defective [1].

The writer who vouches for the letter would be an excellent authority were he not separated by 250 years from the time of its alleged composition. Joannes Diaconus, who flourished at the end of the tenth century, was, as has been said, chaplain and perhaps kinsman of the great Doge Orseolo II (the first Doge of Venice and Dalmatia), who employed him in several negotiations of importance with the Emperor Otho III, and these negotiations, it is important to observe, made it necessary for him to pay at least three visits to Ravenna, while the subject-matter of one of them (the encroachments of the Bishop of Belluno on the territory of Venice) probably necessitated much and diligent search among the archives, such as they were, of the Venetian state. Altogether, if any such letter of the Pope to the Patriarch of Grado were in existence in the year 1000, Joannes Diaconus was a very likely person to get hold of it.

The style and contents of the letter are all in its favour. It is short and business-like. It has the preamble and conclusion which, as we know from the Liber Diurnus, were befitting in such a case (differing herein from the bald opening and ending of the alleged letters of Gregory II to Leo III): and the very fact that it is addressed to the Patriarch, not to the civil ruler of Venice, whether Duke or Master of the Soldiery, is in its favour,

[1] Of course this remark applies equally to the letters discussed in the preceding Note.

as corresponding so much more with the political ideas of the eighth century than with those of the tenth, in the cities of the lagunes. The fact that the Pope still calls the Lombards 'gens nec dicenda,' and seeks to win back Ravenna 'imperiali servicio dominorum filiorumque nostrorum Leonis et Constantini,' will not perplex any one who has watched the course of the Papal policy as set forth in the preceding chapters, and is a strong argument in favour of the genuineness of the letter. After the Iconoclastic Controversy had been embittered by the ferocity of Constantine Copronymus, and after the Popes had definitely severed their connexion with Constantinople, such a document would hardly have been invented.

Now, as to the letter addressed to Duke Ursus which we find in the pages of Dandolo.

Here too the personal character of the producer of the document is eminently good, and his opportunities for obtaining information are first-rate. The only objection, and it is a serious one, arises from his distance in time from the events related. Andrea Dandolo, a descendant of the glorious Enrico Dandolo, of the Fourth Crusade, was one of the 'wisest, virtuousest, discreetest, best' of the Doges of Venice. Of course all the archives of the state were at his disposal, and he evidently used them conscientiously and industriously in the composition of his great *Chronicon*. Only, while even Joannes Diaconus lived 250 years after the death of Pope Gregory II, Dandolo's dogeship was more than 600 years after that event.

Further, it is now pretty generally admitted, even by the upholders of Dandolo's letter, that he is wrong in attributing it to Gregory II, and that Gregory III must have been the author. (This on account of the difficulty of introducing a capture of Ravenna before 731, the date of Gregory the Second's death.)

We cannot shut our eyes to the fact that there is a real conflict between Joannes Diaconus and Dandolo as to the date of the events in question. If Joannes is right, they took place under the fourth *Magister Militum*, or (according to the received chronology) in 740. If Dandolo is right, the Pope's letter (or one of the Pope's letters) was addressed to Duke Ursus, and the recapture of Ravenna took place during his tenure of office (726–737). Both cannot be right, and we must choose between them.

NOTE F. Professor Monticolo, the advocate of Dandolo, urges with much force the necessity of placing the siege and recovery of Ravenna before 735, because that was the year in which Hildeprand was associated with his uncle as king, whereas Paulus (H. L. vi. 54) in his account of the capture calls Hildeprand only 'the king's nephew,' not his colleague. The objection is certainly of some weight, but considering the loose way in which Paulus has written this paragraph of his history, making for instance Peredeo to 'fall fighting bravely' in one sentence, and in the next to resist an attack of the Romans on Bologna, I do not think we need consider it fatal.

On the other hand, Pinton, the advocate of Joannes Diaconus, points out that his version of the matter explains the otherwise mysterious title of Hypatus (Consul) borne by the Master of the Soldiery, Jovianus, a title which we may suppose to have been bestowed upon him either by the Exarch or the Emperor, grateful for his assistance in the recovery of Ravenna. This also is deserving of consideration.

On the whole, though the scales are very evenly poised, I am disposed to prefer the earlier authority, Joannes Diaconus, to the later one, Dandolo, and therefore to place the Venetian reconquest of Ravenna about the year 740. But I feel that a very small matter, the discovery of a single date in a deed or an unnoticed allusion in a historian, might make it necessary to reconsider this decision, and to assign an earlier date to the re-capture.

A full and exhaustive discussion of the question will be found in the two following articles:—

By Professor *Pinton*, 'Veneziani e Langobardi a Ravenna,' in the Archivio Veneto for 1889 (368–384), and by Professor *Monticolo*, 'Le Spedizioni di Liutprando nell' Esarcato e la Lettera di Gregorio III al Doge Orso,' in the Archivio della R. Società Romana di Storia Patria for 1892 (321–365).

CHAPTER XIII.

POLITICAL STATE OF IMPERIAL ITALY.

Authorities.

Sources:—

Our sources of information as to the subject of this chapter are, as will be seen in the course of it, very meagre and unsatisfactory. No history of Italy during the centuries with which we have to deal, from the point of view of a loyal subject of the Empire, nor anything pretending to that title, was ever written. Paulus Diaconus is of course engrossed with Lombard affairs, and hardly notices 'the Greeks' except to mention their wars with his countrymen. The compilation of Papal biographies which goes by the name of ANASTASIUS BIBLIOTHECARIUS, and which is now generally called the LIBER PONTIFICALIS, is on the whole our best source for the greater portion of the period; and this source, scanty for the sixth and seventh, becomes fairly full for the eighth century, and almost copious towards its close.

The *Pragmatic Sanction* quoted in the early part of this chapter is No. clxiv of the Novels of JUSTINIAN. I quote from Teubner's edition (Leipsic, 1881).

The abundant material of all kinds furnished us by the EPISTLES OF GREGORY THE GREAT makes us only regret that that valuable source is closed so early, and that nothing like it takes its place afterwards. But for the special purpose of this chapter one of the most important sources is furnished by the folio volume entitled 'I PAPIRI DIPLOMATICI,' edited by Abbate G. MARINI (Rome, 1805). This monument of patient industry has been already referred to in the third volume of this work (p. 165), where I commented on the deed of gift from Odovacar to Pierius, which is one of the earliest papers contained in it. It consists of about 146 documents written on Egyptian papyrus (those on parchment are expressly excluded), of various dates

from the fifth to the eleventh centuries. The collection suffers somewhat, as it seems to me, from the want of chronological arrangement, the first hundred pages being occupied by comparatively late and uninteresting Papal bulls (ninth to eleventh centuries), but the documents which follow (Nos. 74–146) are generally of an earlier date (fifth to seventh centuries), and almost all of them are full of interest for our present purpose. Here we see the names and offices of some of the chief citizens of Ravenna. Here we read the attestations of legal documents written in Latin words but in Greek characters by Byzantine merchants or officials, who were either too proud or too imperfectly educated to frame their fingers to write aught but the letters of Hellas.

Here is a specimen of one of these Graeco-Latin attestations[1]. Others which are written in the usual character enable us with confidence to decipher this one:—

Ιωannhs Cουρος nαγουζατρο ουεικι καρετουλε dωναζιο[nις] πορεζονε ειn ιnτεγρω φωndι σσ Βαλonιanι κon ωμεnιβως ad σε γεnεραλιτερ περτιnεnτιβους σικοd σουπεριος λεγετωρ φακτε[ιn] σanκτα εκκ Ραβεnnατε α σστα Cισιβερα hφ dωnατρικι κουαε με πρεσεnτε σιγnουμ σanκτε κρουκες φικετ εd κοραμ nοβις ει ρελικτα εστ τhστhs σουσκριψh εd dε κonσερβandis ωμnιβος σστις ad εuanγελια κορποραλιτερ πρεβουhτ σακραμεnτα ετ anκ dωnαζιονεμ α σστα Cισιβερα πάλαμ Βο ββ dιακonon ετ Βικεdωμεnon τραdε-[ταμ] βιdι

✻

This attestation, transliterated into Latin letters, reads as follows:—

Joannes Syrus negociator huic cartule donationis portionis in integro fundi s(upra) s(cripti) Baloniani cum omnibus ad se generaliter pertinentibus sicut superius legitur factae in sancta ecc(lesia) Ravennate a s(upra) s(cripta) Sisivera h(onesta) f(emina) donatrice quae me presente signum Sanctae Crucis fecit et coram nobis ei relecta est, testis subscripsi et de conservandis omnibus s(upra) s(crip)tis ad Evangelia corporaliter prebuit sacramenta et hanc donationem a s(upra) s(crip)ta Sisivera palam Bo v(irum) v(enerabilem) diaconon et Vicedomenon traditam, vidi

✻

[1] p. 144.

The instrument records the donation by a woman (probably of Gothic descent) named Sisivera of the whole of her share of the farm Balonianus to the Church of Ravenna. A deacon (probably a Goth), bearing the extraordinary name of Bo (this name is confirmed by the other attestations), is bailiff (Vicedominus) of the Church, and in his presence, and in the presence of the giver, John, a Syrian merchant, gives his attestation to the document.

The reader will observe how the cursive *nun* (n instead of ν) necessitates for distinction's sake a different form of *eta* (h instead of η), and that the Latin t is sometimes represented by ζ in the middle of a word and sometimes by d at the end.

In this collection also we have the record of transactions entered into in the closing days of the Gothic domination (541) by clergy 'of the Gothic law,' that is doubtless Arians, who first mortgage, and then sell to 'Isaac the soap-merchant,' part of their property at Classis. This and similar documents of the time of the great Gothic war help us to understand how the ordinary transactions of life, buying and selling, mortgaging of property and making of wills, were still going on amid the tremendous shock of armies and the struggle for life of a great and proud nation. A reflection of a similar kind is suggested by the date of Marini's own book, 1805. The actual publication took place, it is true, during a slight lull in the Napoleonic tempest, when Pope Pius VII (to whom the book is dedicated) had earned a short breathing-time for his Church and City by his coronation of the Emperor at Paris. But the composition of the book was in more troublous times. It must have been in the terrible years of Lodi and Marengo, during the stormy life of the Tiberine Republic, and always amid fear of fresh popular outbreaks and new and more disastrous changes, that the indefatigable Prefect of the Archives of the Holy See, in the seclusion of the Vatican Library, quietly held on his way, deciphering the faint characters on tattered papyri, and storing up the forgotten facts of the sixth and seventh centuries for the benefit of the scholars of a more peaceful age.

The very interesting collection of MONUMENTI RAVENNATI by FANTUZZI deals chiefly with the ninth and following centuries, and has, I think, only one document belonging to our period—the Register of donations to the Church of Ravenna from the seventh to the tenth centuries, which stands at the head of the collection.

BOOK VII. CH. 13.

The very full Index to this so-called 'Codice Bavaro' at the end of the first volume is an important assistance to the student.

Of the *Guides* on whose skill I shall have chiefly to rely in this obscure and difficult period I will here mention but three, though earlier scholars (especially *Muratori* and *Lupi*) have given me valuable help.

The great *F. C. von Savigny* in his 'History of Roman Law in the Middle Ages' (1815–1831) urges his well-known proposition that there was no break in the traditions of Roman Law and Roman Municipal Institutions, but that they lived on with an uninterrupted existence from the last days of the old Empire to the glorious revival of free popular life in the great Italian Republics.

Against this view not only *Troya*, whom I have already often quoted, lifted up his voice, but *Carl Hegel*, the son of the great philosopher, entered a respectful but earnest protest in his 'History of the Municipal Constitution (*Städteverfassung*) of Italy' (1847). The argument is conducted on both sides with great learning and great fairness, and it is impossible to follow it closely without heightened feelings of admiration for both the disputants. As they treat of the subject with far greater detail than I can hope to do, and are copious and exact in their citations of the original documents, I shall generally refer to them, rather than to the documents themselves, for the proof of my statements. *Charles Diehl* (Maître de Conférences à la Faculté des Lettres de Nancy) published at Paris in 1888 his 'Études sur l'Administration Byzantine dans l'Exarchat de Ravenne,' a work which I have found extremely helpful in my researches into the political history of this obscure period. I have only one complaint to make of the author. Having given us so useful a book, he should surely have judged it worthy of an Index. [Lastly, mention should be made of Hartmann 'Untersuchungen zur Geschichte der Byzantinisches Verwaltung in Italien': Leipzig, 1889.]

Question as to the condition of the Roman population in the seventh and eighth centuries.

Now that we have reached the end of the dominion of the Eastern Caesars over all but a few detached fragments of Italy, and that we are also close upon the end of the dominion of the Lombard kings in the same country, it will be well for us to gather up such

fragments of information as the scanty records of the time supply to us concerning the political institutions and social condition of the peninsula during the two centuries of their blended and conflicting rule.

Bearing of this question on the origin of the Italian Republics.

The records, as I have said, are scanty, and the indications which they furnish are faint and difficult to decipher; but they have been scanned with eager scrutiny by great jurists and eminent historians, because in them lies, in part at least, the answer to one of the most interesting questions which were ever presented for solution to a political philosopher. That question is as to the origin and parentage of the great Italian Republics of the Middle Ages.

When we think of the rich and varied life displayed by the commonwealths of Italy from the twelfth to the fifteenth century, of the foreign conquests of one, the world-wide commerce of another, the noble architecture of a third, the wealth of artistic and poetic genius which seemed to be the common heritage of them all, and when we remember that in the earlier period of their history these great gifts of the intellect were allied to not less noble qualities of the soul, fortitude, self-devotion, faith, we are ready to say, perhaps with truth, that never has the human race worked out the problem of self-government in nobler forms than in these glorious republics, greater than the Athens of Pericles by reason of their spiritual capacities, greater than the Rome of the Scipios by reason of their artistic culture. We know, indeed, how soon that splendid dawn was overcast, how rapidly and how fatally the Italy of the *Communi* degenerated into the Italy of the Tyrants. Still the enquiry must ever be one of deepest interest to every student not

merely of Italian, but of European history—'Whence did the cities of Italy derive those thoughts of freedom which made them for a time the torch-bearers of human progress in the midst of the anarchy and darkness of feudalism?'

Two schools; the Roman (Savigny), and the anti-Roman (Troya and Hegel).

One school of learned and able enquirers says that this torch was kindled from Rome, not the Rome of the Emperors, but the far-away, yet unforgotten, Rome of the Republic. Another school, equally learned and equally able, denies that there was any possibility of continuous historic development from Rome to Florence and Siena, and maintains that the republican institutions of Italy in the twelfth century were either absolutely self-originated or were the result of contact with Teutonic freedom. I cannot promise the reader that we shall be able to come to any definite solution of this great controversy, much of which of course lies centuries beyond our horizon; but he will at least understand how great the controversy is, and how it lends importance to questions at first sight paltry and pedantic, as to the names and functions of the governing authorities of Italy during these centuries of transition.

Division of Italy into the Empire and the non-Empire. Scientific value of this division.

Though profoundly unfortunate for the country itself both then and in many after-ages, the division of Italy into two sections, one of which still formed part of the Roman Empire, while the other, under the sway of Lombard kings or dukes, was generally hostile to the Empire, and always independent of it, aids the scientific discussion of the problem before us. The actual course of events enables us to eliminate in great measure the barbarian factor from the former section, and to trace the history of Roman institutions by them-

selves, where no Teutonic element enters into the equation. In this chapter, therefore, we will deal with the questions of government, law, and social relations as affecting Imperial Italy alone.

Geographical limits of Imperial Italy.

Let us briefly recapitulate the facts as to the geographical boundaries of the Imperial territory, which it will be remembered was almost exclusively a sea-coast dominion. Starting from the north-east, we find the Istrian peninsula undoubtedly Imperial. But when we reach the head of the Adriatic Gulf, the ancient capital of Aquileia with its Patriarch is under Lombard rule, while the little island city of Grado, in which the rival Patriarch has set up his throne, still clings to the Empire. From the mouth of the Tagliamento to that of the Adige a long strip of the coast is for some time retained by the Emperors, and probably bears the name of *Ducatus Venetiae*. But in the earliest years of the seventh century Patavium and Mons Silicis (Padua and Monselice) were won for the Lombards by King Agilulf: soon afterwards Concordia fell into their power, and when in 640 Opitergium and Altinum were taken by King Rothari, the Eastern Caesar can have had few subjects left in this part of the country, except the indomitable islanders, who between sea and sky were founding upon the lagunes that cluster of settlements which was known by the name of Venetia Maritima.

The mouths of the Po, the city of Ravenna, and a great stretch of the Via Aemilia, with 'hinterland' reaching up to the skirts of the Apennines, formed the large and important district known as the *Exarchatus Ravennae*. Further inland, Mantua, Cremona, Piacenza, and a few cities on the southern bank of the

Po remained for a generation subject to the Empire, but were detached from it in the earliest years of the seventh century by King Agilulf, rightly incensed by the Exarch's kidnapping of his daughter[1]. We travel down the shore of the Adriatic and come to the Duchy of the *Pentapolis*, consisting of the five flourishing maritime cities of Ariminum, Pisaurum, Fanum, Senegallia, and Ancona. Another inland Pentapolis, called *Annonaria* or *Provincia Castellorum*, included the cities of Aesis, Forum Sempronii, Urbinum, Callis, and Eugubium (Jesi, Fossombrone, Urbino, Cagli, and Gubbio)[2]. These two provinces together sometimes went by the conjoint name of Decapolis. A long stretch of coast, ill-supplied with harbours and therefore not belonging to the Empire, marked the spacious territory abandoned to the Lombards, and ruled by the dukes of Spoleto and Benevento. Then rounding the promontory of Mount Garganus, we come to the town of Sipontum, which was Imperial till near the middle of the seventh century[3], and then to the 'heel', of Italy, from the river Aufidus to the Bradanus, comprising the seaport towns of Barium, Brundusium, Hydruntum, and Tarentum (Bari, Brindisi, Otranto,

[1] [The assertion that Piacenza remained subject to the Empire requires to be modified, as we see from the letter of the Exarch (vol. v. p. 273) that it was in 590 under the sway of a Lombard Duke, by whom it was surrendered to the Empire. Also the recovery of this city by Agilulf (about 600) is rather a matter of inference than of direct statement, at any rate by Paulus.]

[2] This is Diehl's statement of the case (p. 61), correctly deduced, I think, from the words of the anonymous geographer of Ravenna.

[3] I think the words of Paulus (H. L. iv. 44), who says that the Sclavonians when attacking Aio duke of Benevento in 642 pitched their camp 'non longe a civitate Seponto,' make it probable that the city was then Lombard.

and Taranto). All of this region was Imperial land till Romwald of Benevento (between 665 and 675) rent the greater part of it from the Empire, leaving to the Caesar little besides the city of Otranto, which, though once for a moment[1] captured by the Lombards, remained permanently Imperial, and was at a later period the base of important operations by the Greeks for the reconquest of Southern Italy. As the 'heel,' so also the 'toe' of Italy, from the river Crathis to the Straits of Messina, remained during the whole of our period in the possession of the Empire. So, too, did the important island of Sicily, full of Papal 'patrimonies,' and forming a stronghold of Imperial power. Though harassed more than once by the invasions of the Saracens, it was not till the ninth century that they seriously set about the subjugation of the island: and in fact for half a century after the fall of Ravenna, the 'Patrician of Sicily' was the highest representative of the Emperor in the western lands, the duke of Naples himself being subject to his orders[2].

Proceeding northwards along the shore of the Tyrrhene Sea, we find in the ancient province of Lucania only Acropolis, and perhaps its near neighbour Paestum, left to the Empire. Entering Campania, we discover that the *duke of Naples* ruled over a small though wealthy territory, reaching from Salernum at one end to a point due west of Capua (itself a Lombard city) on the other. But the duchy reached very little way inland, and we might probably say with safety that

[1] In 758.

[2] Hegel, Städteverfassung, i. 225, quoting Hadrian's letter to Charles the Great (Codex Carolinus, No. 73) and Constantine Porphyrogenitus de Adm. Imp. c. 27.

from every part of the region which he ruled the duke of Naples could behold the crater of Vesuvius.

Of much wider extent was the *Ducatus Romae*, which reached from Gaeta on the south-east to Civita Vecchia on the north-west, including practically the whole of the ancient province of Latium, a corner of the Sabine territory, and the southern end of Etruria. The changes of fortune that befell the Tuscan and Umbrian cities, by which Rome and Ravenna sought to keep up their communications with one another along the Flaminian Way, the cities of Todi, Perugia and Tadino, have been sufficiently described in earlier chapters.

Lastly, the beautiful Riviera ('di Ponente' as well as 'di Levante'), from the river Magra to Mentone, remained a province of the Empire until about 640, when King Rothari the legislator took Genoa and all her sister cities [1], rased their walls (like Gaiseric the Vandal), and turned the region into the Lombard duchy of Liguria.

Of the islands of Sardinia and Corsica little is known during this period save that their fortunes were not closely interwoven with those of Italy. As they had once been subject to the Vandal kings of Carthage, so now, though restored to the Empire, they were still ruled by the Exarch of Africa. The invasions of these islands by the Lombards, of which we heard in the letters of Pope Gregory the Great, do not seem to have resulted in any abiding settlement. When the Emperor Constans was ruling or misruling Sicily, Sardinia was one of the districts which felt the heavy hand of his tax-gatherers [2], and soldiers coming from Sardinia as well as from Africa and Imperial Italy deprived his successor, the usurper Mizizius, of his throne and life [3]. In the

663-668.

[1] Paulus, H. L. iv. 45. [2] Ibid. v. 11. [3] Ibid. v. 12.

eighth century Sardinia as well as Corsica suffered grievously from the incursions of the Saracens, though it does not appear that these invaders succeeded in formally detaching those islands from the Empire.

Pragmatic Sanction of Justinian, 554.

From these outlying dependencies we return to the contemplation of Imperial Italy, that we may enquire into the nature of the political organisation by which the Emperors dwelling in distant Constantinople maintained their hold upon the maritime regions of the peninsula. To begin at the very beginning of our present period, let us listen to the words in which the Emperor Justinian reasserts his dominion over the recovered land. In August, 554, the year after the death of Teias, the year of the final defeat of the Alamannic brethren, Justinian issued a solemn *Pragmatic Sanction*[1] for the government of Italy. This decree, singularly enough, purports to be issued in reply to the petition of Pope Vigilius 'the venerable bishop of the elder Rome,' though that much-harassed pontiff had certainly left Constantinople, and most probably had died before its promulgation. The Emperor first solemnly confirms all dispositions which have been made by Athalaric, or his royal mother Amalasuntha, or even Theodahad, as well as all his own acts, and those of his spouse Theodora of pious memory[2]. Every-

Confirmations and abrogations.

[1] This is the name given to the instrument by which the Emperor Charles VI, in 1724, sought to establish the succession to his dominions in the line of his daughter Maria Theresa. The 'Gallican liberties' also rested on the Pragmatic Sanction issued at Bourges in 1428 by Charles VII, king of France.

[2] The acts of Theodoric, who had been dead for twenty-eight years, are not included in the confirmation, probably because the lapse of time rendered such confirmation unnecessary. A special

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thing, on the other hand, done by 'the most wicked tyrant Totila' is to be considered absolutely null and void, 'for we will not allow these law-abiding days of ours to take any account of what was done by him in the time of his tyranny.'

Fiscal regulations.

Many laws follow (which seem to be well and wisely framed) as to the length of prescription requisite to establish a claim after 'the years of warlike confusion which followed the accession of the tyrants.' There is also an evident attempt made to lighten the burden of taxation, and so to guard against any future oppressions by men like Alexander the Scissors, which might goad the provincials to madness. Especially it is ordained that the tribute due from each province shall be exacted by the governors of that province only, and that the great Imperial ministers at head-quarters shall not assist in the process. Some precautions are taken for lightening the burden of *coemtio.* Each province is only to be called upon to furnish tribute in kind out of that sort of produce which naturally grows there, and such tribute when rendered is to be taken at the current market price of the day. Moreover, the landowners of Calabria and Apulia, who have already commuted their *coemtio* into a money payment (*superindictitius titulus*), are not to be called on to pay that *titulus* and provide *coemtio* as well. And any senator or large tax-payer[1] is to

exception is made as to the gift by Theodahad to 'the magnificent Maximus' of the property of a certain Marcian.[4] Half of this donation Justinian remembers that he has bestowed on 'the most glorious Liberius,' to whom it is confirmed. The magnificent Maximus may enjoy the remainder in peace.

[1] 'Collator.' Does this word mean any one who paid 'lustralis collatio'?

have free leave and licence to visit the court at Constantinople in order to lay his grievances before the Emperor, as well as to return to Italy and tarry there as long as he will for the improvement of his estate, since it is difficult for absent owners to keep their property in good condition, or to bestow upon it the cultivation which it requires[1].

The two most important sections of the decree, however, in reference to our present subject are the xxiii^rd and the xii^th.

Civil causes not to be tried by military judges.

(1) The xxiii^rd runs as follows: 'We order that all law-suits between two Romans, or in which one Roman person is concerned, shall be tried by *civil* judges, since good order does not permit that military judges shall mix themselves up in such matters or causes.'

A 'Roman person' is evidently a native of Italy in contradistinction to the horde of foreigners who served in the armies of the Empire. The intention of the legislator is that wheresoever the rights of such a Roman person are concerned, whether as plaintiff or defendant, his cause shall be heard before a civil judge, probably the *praeses* of the province, and not before the harsh and unsympathetic officer of the army, who, however, is recognised as the right person to try matters in dispute between one 'military person' and another.

Bishops associated in the election of *Judices.*

(2) Sect. xii relates to the mode of appointing these civil governors or *judices provinciarum*: 'Moreover we order that fit and proper persons, able to administer the local government, be chosen as governors (*judices*) of the provinces by the *bishops and chief persons of each province from the inhabitants of the province itself.*' This appointment is

[1] § xxvii.

to be made without any payment for votes[1]; and the letters patent of the office (*codicilli*) are to be handed to the new governor by the minister whose business it is (*per competentem judicem*) [free of charge]. On these conditions, however, that if they (the *judices provinciarum*) shall be found to have inflicted any injury on the tax-payers, or to have exacted anything in excess of the stipulated tribute, or in the coemption to have used too large measures, or unjust weights for the solidi, or in any other way to have unrighteously damnified the cultivators, they shall make good the injury out of their own property.'

We see here an earnest endeavour to remedy the abuses of provincial administration. The governor of the province is to be a resident therein. This makes it less likely that he will incur the odium of oppressive acts, committed in a district of which he is a native, and where he will spend the remainder of his days. He is to be appointed without *suffragium*, the technical term for the payments, often of enormous amount, which had been hitherto made to the members of the Imperial household and the great functionaries of Constantinople, in order to secure their influence on behalf of the aspirant to office. Of course, where this *suffragium* had been paid, the new governor's first care was to recoup himself by wringing it out of the miserable provincials[2]. But further, the governor is

[1] 'Sine suffragio litis.' The Editor suggests 'militis' for 'litis,' but this also would be a difficult reading. Hegel pronounces 'litis' an undoubted corruption, possibly for 'ejus.'

[2] No doubt these payments for *suffragium* were the prosaic basis for that story of the sale of the provinces by auction, which Claudian tells with so much vigour in his poem, *In Eutropium* (i. 196–206). See vol. i. p. 683 (2nd edition).

to be elected by the principal inhabitants of the province, instead of being merely nominated by the autocratic Emperor. We have here an important recognition of the principle of popular election, a great stride towards what we should call constitutional government. And a part, apparently a leading part in this election, is given to the *bishop* of the province. Here we have both a proof of the increased power of the higher ecclesiastics (since even the devout Theodosius would never have dreamed of admitting his bishops to a direct share in the government of the Empire), and we have also a pathetic confession of the Emperor's own inability to cope with the corruption and venality of his civil servants. He seems to have perceived that in the great quaking bog of servility and dishonesty by which he felt himself to be surrounded, his only sure standing-ground was to be found in the spiritual Estate, the order of men who wielded a power not of this world, and who, if true to their sacred mission, had nothing to fear and little to hope from the corrupt minions of the court[1].

The experiment of popular election of the provincial governors answered so well in Italy, that it was extended by Justinian's successor in 569 to the Eastern portion of the Empire[2]. But as we shall soon see, it was but short-lived in either the East or the West.

Weights and measures.

Before we part from Justinian's Pragmatic Sanction we must notice one more section, the xixth, which deals with the subject of Weights and Measures: 'In

[1] This point is well brought out by Hegel, i. 142.

[2] Nov. 149, c. 1 (quoted by Hegel, i. 145).

order,' says the legislator, 'that no occasion for fraud or injury to the provinces [of Italy] may arise, we decree that produce be furnished and money received according to those weights and measures which our Piety hath by these presents entrusted to the keeping of the most blessed Pope and the most ample Senate[1].' Another indication this, of the purely secular business which, by reason of the general respect for his character and confidence in his uprightness, was being pushed off upon the Head of the Church by the Head of the State; and at the same time an interesting evidence that after all its sufferings at the hands of Totila and Teias, the Senate of Rome still lived on, if it were only to act as custodian of the standard yard and the standard pound.

The edict, which is addressed to the Illustrious Grand Chamberlain Narses, and to the Magnificent Antiochus, Prefect of Italy, ends thus: 'All things therefore which our Eternity hath ordained by this divine Pragmatic Sanction, let your Greatness by all means carry into effect and cause to be observed, a penalty of 10 lbs. of gold [£400] impending over all violators of these our commands.' On the whole, the Pragmatic Sanction, notwithstanding its tone of ill-tempered railing at the defeated heroes of the Gothic nation, was a wise and statesmanlike measure; and I, who have in an earlier volume been compelled to say many hard things concerning the character and

[1] § xix, De Mensuris et Ponderibus: 'Ut autem nulla fraudis vel laesionis provinciarum nascatur occasio, jubemus in illis mensuris vel ponderibus species vel pecunias dari vel suscipi, quae beatissimo Papae vel amplissimo Senatui nostra Pietas in praesenti contradidit.'

administration of Justinian, gladly recognise that here, in the evening of his days, he makes a generous effort to lighten the burdens of his Italian subjects, and to admit them to a share in his power. But 'in the clash of arms laws are silent.' Even as Pitt's well-meant scheme for Parliamentary Reform foundered in the stormy waters of the great French Revolutionary War, so the perils with which the Empire was soon surrounded, from Lombards in the West, from Avars, Persians, Saracens in the East, destroyed the faint hopes of freedom in the Roman Empire of the sixth and seventh centuries. It is at all times difficult for even the most enlightened despot to unclothe himself of the power with which in the course of generations the holders of his office have come to be invested, and in the face of menacing foreign foes that which was before difficult becomes impossible. We who have lived through the middle of the nineteenth century know what those ominous words 'The city is proclaimed in a state of siege' betoken, how when they are uttered popular liberties are suppressed and all classes lie prostrate under the heel of a military despotism. We remember how even in the greatest democratic republic that the world has ever seen, 'the War-Power' enabled President Lincoln practically to assume the position of an autocrat, wise and patriotic doubtless, but still an autocrat. And so, in the Empire, the tremendous dangers to which it was exposed, from the time of Justin II to the time of the Iconoclastic Emperors, led to the concentration of all power, civil and military, in the hands of one class of men who were virtually the military lieutenants of the Emperor. In the East, this tendency found its fullest expression

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Division of the Eastern Empire into *themes*.

in the change of the provinces into *themes*, which was begun by Heraclius[1] and completed by Leo III. The word *theme* meant a regiment of soldiers, and thenceforward the military district or theme became the chief administrative unit of the Empire.

In Italy there was perhaps no such sudden and definite change, but all writers are agreed that there was a change, the result of which was to annul the division between civil and military functions which had been created by Diocletian and Constantine[2], and to make the commandant of the garrison in each city which remained faithful to the Empire the one great centre of power, judicial and administrative, as well as military, for that city and for the district of which it was the capital.

Power, civil as well as military, concentrated in the hands of the military officer.

This change however, as I have said, was probably a gradual one, and with the poverty of the materials before us we cannot precisely say when it began or when it ended[3]. To make the further discussion of the subject clearer, it will be well to subjoin a table of the military and civil officers, as far as they can be ascertained, before this change had taken place which

[1] Or perhaps even before his time; led up to in fact by the changes in administration introduced by Justinian himself. This is the opinion of Prof. Bury, ii. 339–351.

[2] See vol. i. p. 213 (607 in 2nd edition).

[3] Diehl (pp. 7–9) successfully combats the theory advanced by Flavio Biondo (1393–1462), and silently accepted without any adequate proof by many later writers, that Longinus, first Exarch, removed at one blow all the civil side of the administration of Italy, and made the military officers supreme. Though Hegel does not formally combat this theory, the whole tenour of his remarks (i. 176–7) shows that he did not accept it. The letters of Gregory the Great disprove it, showing as they do that there were still Praefecti and Praesides in his day.

led to the practical absorption of the latter by the former.

MILITARY.	CIVIL.
EXARCH (Patricius Italiae).	Praefectus Italiae . . . Praefectus Urbi (or Praepositus Italiae).
Magister Militum or Dux.	Vicarius Italiae . . . Vicarius Urbis.
Tribunus or Comes.	Praeses Provinciae.

The hierarchy of civil offices, it will be seen, was still cast in the mould which was made at the beginning of the fourth century [1]. So long as they retained any official vitality at all we must suppose the holders of them to have been concerned with the trying of causes in which private citizens of Italian birth (as opposed to military men and foreign followers of the camp) were concerned; with the collection of revenue; with commissariat business; and perhaps with the maintenance of roads and aqueducts [2]. But already, in the time of Gregory the Great, the position of these civil rulers was declining in power and lustre, so that we find the benevolent Pope compassionately relieving the necessities of an ex-governor [3] of Samnium by a yearly pension of four solidi (£2 8*s.*), and a gift of twenty *decimati* of wine. The slenderness of our information does not enable us to say definitely when this civil hierarchy finally vanished from the scene, but, to use

[1] See vol. i. p. 227 (1st edition); p. 620 (2nd edition).

[2] See Hegel, i. 176.

[3] 'Sisinnium qui judex Samnii fuit' (Greg. Ep. ii. 32). It is, of course, to be noted that Samnium had fallen entirely into the hands of the Lombard duke of Benevento, and this would account in some measure for the change in the fortunes of Sisinnius.

the simile of a 'dissolving view,' we may conjecture that all through the seventh century their names were growing fainter and fainter, and those of the military rulers were growing stronger and stronger on the screen of Italian politics [1].

[1] For a more minute discussion of the functions of the *Praefectus* and *Vicarii* I may refer the reader to Diehl, book ii. chap. vii. pp. 157–167. His chief conclusions are these:—

I. The *Praefectus per Italiam* probably lost all his legislative and most of his administrative functions. He had still considerable judicial authority, but was pre-eminently a financial officer.

II. The survival of this part of his functions is analogous to what happened in the East, where, when the new thematic government was organised, a financial officer called the *protonotarius* was placed beside the *strategos*. The former, though much lower in rank, was yet in a certain sense independent of the latter.

III. The title of the *Praefectus per Italiam* was *Eminentissimus*, and he resided at Ravenna, or, more properly speaking, at Classis.

IV. In the East the *Praefectus Praetorio* is mentioned for the last time in a constitution of Heraclius, 629; and he was undoubtedly suppressed when the themes were organised.

V. In the papyri of Marini the title of *Praefectus* lingers on till 681. But whatever may have been the date of his final disappearance, from the middle of the seventh century his essential attributes had passed into the hands of the Exarch of Ravenna.

VI. Under the Prefect, there were two *Vicarii* (bearing the title of *Magnificus*): one at Rome (the *Vicarius Urbis*), who governed the ten provinces of the South; the other at Genoa (after his expulsion from Milan), who professed to govern the seven provinces of the North. They, too, seem to have been chiefly concerned with finance.

VII. From the end of the sixth century the *Vicarius Romae* was nothing more than an urban functionary who was subordinate to the *Praefectus Urbis*, and who doubtless ended by being confounded with him.

The *Vicarius Italiae*, if he lingered in obscurity at Genoa during the first years of the seventh century, assuredly disappeared at the moment when the Lombard conquest destroyed the province of Liguria (640).

There is an article by Mommsen on the subject of the *Vicarius Romae* and *Vicarius Italiae* in the Neues Archiv, vol. xiv.; but it relates chiefly to Ostrogothic times, and I do not understand him as combating Diehl's conclusions with regard to Lombard times.

I turn then from these shadowy survivals of a great organisation to direct the reader's attention to the other half of the table of dignities, the military rulers who were more and more assuming all the functions of government to themselves, as the delegated servants of the Emperor.

Military dignitaries.

High over all, and practically supreme over Imperial Italy [1], was 'the Most Excellent EXARCH.' We shall probably get a good idea of his position by comparing him to the Governor-General of India, only that we must add to the civil functions of that high officer the military functions involved in the absolute personal command of the army. He seems to have uniformly borne the title of *Patricius* added to that of *Exarchus*, and he not unfrequently held high rank in the Imperial household, as *Cubicularius* (Grand Chamberlain) or *Cartularius* (Keeper of the Records). He was supreme judge in Italy; he made peace and war on his own responsibility, apparently without the necessity of consulting the Emperor; he nominated all the military officers below him, the dukes and tribunes and the like; perhaps also the civil governors, the prefects and the vicars, though of this there does not appear to be any direct proof. After the middle of the seventh century he was, what the Prefect had been till then, the supreme head of the financial department of the state. This ruler, 'whose exalted power gave effect to the will of the Pious Emperor [2],'

The EXARCH.

[1] But not Sicily, which from the time of Justinian onwards seems to have been under its own *Praetor* or *Praefectus*, independent of the Exarch of Italy. See Diehl, pp. 169–170.

[2] 'Praecelsa potestas per cujus dispositiones voluntas pietatis imperatorum impletur' (Marini, 87; quoted by Diehl).

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was approached with servile prostrations[1] by the subjects of his delegated reign. At Ravenna he dwelt doubtless in the palace of the great Theodoric. When he visited Rome, clergy, magistrates, soldiers, all the civic militia of Rome poured forth to meet him with their crosses and their standards, and led him with jubilations up to the Palatine Hill, where still in faded magnificence rose the cluster of buildings which has given its name to every other palace in the world.

His prerogatives in connection with Papal elections.

Not the least important, assuredly, of the prerogatives of the Exarch, was the right transferred to him by his Imperial master of confirming the election of the Pope by the clergy and people of Rome[2]. But notwithstanding this prerogative, and although in a certain sense the Bishop of Rome, as the Emperor's subject, might be held to be under the rule of the Imperial vicegerent, there can be little doubt that, at least from the time of Gregory the Great, the Pope, if he were a man of at all commanding personality, was,

[1] '[Johannicius scriba] prostratus ante pedes Exarchi surrexit,' &c. (Agnellus, 120).

[2] This right was transferred by the Emperor to the Exarch in 685, or possibly even as early as 642 (Diehl, p. 180). Two of the most interesting letters in the *Liber Diurnus* (the book of common forms for use in the Papal Chancery) are those addressed to an Exarch on the occasion of a vacancy in the Papal See. In the first the most Excellent and Transcendent Exarch is informed of the deep sorrow into which the people of Rome are plunged by the death of their Pope. In the second he is told that their mourning is turned into joy by the election of a most holy man as his successor; and the Exarch is entreated speedily to confirm this election, because there are many things both in the city and the rural districts which need his immediate attention, and especially because the ferocity of the enemies who surround Rome will yield to nothing but the rebukes and entreaties of the Pope and himself (Liber Diurnus, lix–lx).

and was felt to be, a greater man in Italy than the Exarch. The Exarch was a foreigner, the minion of a court, sometimes holding office for no very long period, re-called and re-appointed at the Emperor's pleasure. The Pope was an Italian, often a Roman citizen, speaking the noble old language of statesmanship and war: he alone could awe turbulent Lombard kings and dukes into reverent submission; round him gathered with increasing fervour, as the seventh and eighth centuries rolled on their course, not only the religious reverence, but the national spirit, the patriotic pride of the Roman people.

I shall briefly discuss the difficult subject of the origin of the Exarch's title, and then review the history of the men who bore it.

Origin of the Exarch's title.

The Greek word Exarchus [1] seems to have come into use in the days of Justinian, if not before, to denote a military officer of a very high rank [2], and it may perhaps be looked upon as corresponding to our word 'marshal.' It is apparently in this sense only that the term is applied by Theophanes to Narses, whom he calls 'Exarch of the Romans [3].'

Narses Exarch,

For the persistent non-user of the term Exarch in connection with Narses by all contemporary writers seems clearly to show that he was not in his lifetime called the Exarch of Italy [4].

[1] *Ἔξαρχος.*

[2] In Justiniani Novella, 130 (Const. CL. in Lingenthal's edition), we have the often-recurring expression, *τῶν ἐξάρχων καὶ τῶν στρατιωτῶν.* This would incline us to say that *ἔξαρχος*=(simply) 'officer'; but we have also in the same Novel, *τῶν ἐξάρχων καὶ τριβούνων καὶ κομήτων καὶ διασωστῶν καὶ δελεγατόρων καὶ τῶν ἑκάστου τάγματος πρωτευόντων*: where *ἔξαρχος* is evidently a very high officer, perhaps=the dux or magister militum. (I owe this quotation to Diehl, p. 15.)

[3] *Ναρσῇ τοῦ κουβικουλαρίου καὶ ἐξάρχου Ῥωμαίων* (A.M. 6044).

[4] As Theophanes is only a ninth-century writer, his testimony

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nor Longinus.

Neither, as far as we can discover, did *Longinus*, who ruled Imperial Italy from 567 to 585 (?), and whose feebleness seems to have had much to do with facilitating the conquest of the Lombards, ever bear the title of Exarch. In fact, he is expressly called *Prefect of Ravenna*[1] by Paulus, for which we may doubtless substitute *Prefect of Italy* as his true title. He was therefore, strictly speaking, only a great civil functionary, with no military command, and this may have been one reason for his failure to cope with the dire necessities of his position.

His successor *Smaragdus* twice held supreme power at Ravenna, his first tenure of office being probably from 585 to 589. And here we do at last get a contemporary use of the title Exarch. In a letter of Pope Pelagius II to his *apocrisiarius* Gregory at Constantinople, bearing date October 4, 584[2], we have a sentence saying that '*the Exarch* writes he can give us no help, for he is hardly able even to guard his own district[3].' Here then we have the great military

on such a point as this is not very valuable, even if he did mean to call Narses '*the Exarch*.'

[1] 'Statimque Rosemunda Longino praefecto Ravennae mandavit' (Paulus, H. L. ii. 29).

[2] Troya proposes to refer this letter to Indiction IIII instead of III, and thus to make it 585 rather than 584. One is reluctant to accept a correction of the text too easily, but there seems much to be said for his view.

[3] 'Et Exarchus scribit nullum nobis posse remedium facere; quippe qui nec ad illas partes custodiendas se testatur posse sufficere' (ap. Troya, iv. 1. 63). [In this letter occurs the passage 'ut quia illis in partibus ad Ravennam usque nunc cum *viro glorioso domino Decio Patricio* fuit.' Hartmann (Untersuchungen, p. 9) thinks that this Decius was Exarch, and if so probably the first who bore that title.] In another letter from Pelagius II to Elias (see vol. v. p. 462) we have an allusion to the peace attained

governors, who bore the title of Exarch for 170 years, fairly installed in the palace of Ravenna. It may be a question indeed whether Smaragdus was the first who bore that title. M. Diehl suggests that *Baduarius*, the son-in-law of the Emperor Justin II, who came in 575 with a great army to Italy, and was defeated by the Lombards, may have been the first of the Exarchs, but we have no contemporary evidence of the fact, and the theory is at best but a plausible hypothesis [1].

List of Exarchs.

Smaragdus, as the reader may remember, after his high-handed proceedings towards the Istrian schismatics [2], became insane, and was recalled by his Imperial master, who appointed Romanus Exarch in his stead [3].

by the labour and pains 'filii nostri excellentissimi Smaragdi Exarchi et Cartularii sacri palatii.' Troya assigns this letter to the end of 584, or the beginning of 585.

[1] It is interesting to observe that at about the same time, and probably as a result of the same tendencies, the chief ruler of *Africa* received the title of Exarch. In the year 591, Gregory addresses a letter to Gennadius, 'Patrician and Exarch of Africa' (Ep. i. 61 (59)). See vol. v. p. 414.

[2] See vol. v. p. 195.

[3] On the strength of an inscription recorded by de Rossi (Inscr. Christ. ii. 454–455), Diehl would interpolate an Exarch named Julianus (otherwise unheard of) between Smaragdus and Romanus (p. 208, n. 7). [Hartmann, Untersuchungen, discusses the succession to the Exarchate. He accepts this addition of Julianus to the list between Smaragdus and Romanus. He postpones the accession of Romanus to the very end of 589 or the beginning of 590, and puts his death in 596. For the chronology of his successors, so far as it can be ascertained, Hartmann makes the following suggestions:—

Callinicus 596–603
Smaragdus 603–?
Joannes ?–?
Eleutherius ?–619
Isaac 625–643
Theodore Calliopas after 643
Plato *circa* 645
Olympius 649–*c.* 651
Theodore Calliopas 653–?
Gregory *circa* 666
Theodore 678–687
Joannes Platyn 687–?
Theophylact between 701 and 705
Joannes Rizocopus 709–*c.* 710
Scholasticus 713–?
Paulus c. 723–726
Eutychius 727–*c.* 750]

Romanus, who ruled probably from 589 to 597, was a perpetual thorn in the side of Pope Gregory; unable, according to that Pope's representations, to defend him from the Lombards, and unwilling to make with the invaders a fair and honourable peace. Probably the fact was that now for the first time, with such a Pontiff as Gregory sitting in St. Peter's chair, the Exarch began to feel how completely he was overshadowed by the Bishop of Rome, and showed too manifestly to all men his ill-temper and his discontent at the anomalous situation in which he found himself placed.

On the death of Romanus (596 or 597) *Callinicus* (or, as Paulus calls him, *Gallicinus*) was appointed to the vacant post, which he held till about the year 602. Though he was more acceptable to the Pope than his predecessor, his dastardly abduction of the daughter of Agilulf, the signal punishment which the injured father inflicted on him, and the damage thereby done to the Imperial cause in Italy, marked his tenure of the high office of the Exarchate with dishonour.

Smaragdus (602–611), a second time Exarch of Italy, seems to have risen with the rise of the usurper Phocas, and fallen with his fall. It was evidently an especial delight to him to grovel before that base and truculent usurper; since besides the well-known statue and column in the Roman forum, he erected another statue to Phocas at Carthage[1].

Joannes (611–616), after an uneventful rule of five or six years, perished, apparently in a popular tumult.

[1] C. I. L. viii. 10529, quoted by Diehl (p. 171), who rightly argues against the theory of the African's subjection to the Italian Exarch, derived from this piece of fussy servility on the part of Smaragdus.

Eleutherius, an eunuch (616–620), punished the murderers of his predecessor, suppressed the rebellion of Joannes Compsinus at Naples, visited Rome, himself tried to grasp the Imperial diadem, and was slain by his own mutinous soldiers at Luceoli.

Into one of these periods we possibly ought to interpolate the Exarchate of *Gregory*, 'patricius Romanorum,' who, as we learn from Paulus[1], foully murdered the two sons of Gisulf, duke of Friuli, after luring them into the city of Opitergium by a promise to adopt the elder of them, Taso, as his 'son in arms.'

We have also to speak with great uncertainty of the tenure of office of *Eusebius*, who may not have been an Exarch at all, but an ambassador of the Emperor, but who in some strange way fascinated the young Lombard king Adalwald to his ruin. After this interval of uncertainty we come to *Isaac*, 'the great ornament of Armenia,' and the husband of 'that chaste turtle-dove Susanna.' His rule, which lasted probably from 625 to 644, was chiefly marked by the loss of the Riviera to the Lombards under Rothari.

Of the Exarchs who immediately followed Isaac, as before remarked[2], we know extremely little. *Theodore Calliopas* may have ruled for the first time from 644 to 646.

Plato (646–649), a Monothelete, induced the Patriarch Pyrrhus to break with the Pope and return to Monotheletism.

Olympius (649–652), Grand Chamberlain, was employed by the Emperor Constans II in his first abortive attempt to arrest Pope Martin, desisted therefrom, was reconciled to the Pope, led his army to fight

[1] H. L. iv. 38.

[2] See p. 257, n. 1.

against the Saracens in Sicily, and died there, probably of camp fever.

Theodore Calliopas, sent a second time as Exarch to Ravenna (653–664), signalised his rule by the forcible arrest of Pope Martin.

Gregory, whose tenure of office perhaps extended from 664 to 677 [1], is apparently only known by the occurrence of his name in the 'Privilegium' of Constans II, given in 666 to Maurus, archbishop of Ravenna, confirming his independence of the See of Rome. In this Privilegium '*Gregorius Exarchus noster*' is mentioned as suggesting the issue of such a document, and is ordered to assist in giving effect to its provisions.

Another *Theodore* (probably different from Theodore Calliopas) dwelt in the palace at Ravenna from about 677 to 687. The monastery which he built near his alace, his receipt of the news of the election of Pope Conon, the three golden cups which he presented to the church of Ravenna, and the part which he took in the quarrel between his namesake Archbishop Theodore and his clergy, are all recorded in the pages of Agnellus.

Joannes, surnamed *Platyn* (687–702), contemporary with Pope Sergius (687–701), being appealed to in connection with the disputed Papal election of 687, appeared suddenly in Rome with his soldiers. He acquiesced in the election of Sergius, but insisted on taking toll of the Church to the amount of 100 lbs. of gold (£4000).

Theophylact (702–709), contemporary with Pope John

[1] The dates of the Exarchs from this point onwards are even more doubtful than those which have gone before. As a rule we only know them by a single entry for each one in the Liber Pontificalis; and all that we are really entitled to say is that each one was contemporary with the Pope in whose biography his name occurs.

VI (701–705), returning from Sicily to Rome, was assailed by the mutinous 'soldiers of Italy,' and hardly escaped through the Pope's intervention. I am not sure that we ought not to recognise in *Theodore*, 'the patrician' and 'primicerius' of the army of Sicily, an Exarch of Ravenna. To him was entrusted the command of the expedition of vengeance directed by Justinian II against the city of Ravenna in 709.

Joannes, surnamed *Rizocopus*, about 710 met Pope Constantine at Naples, on his way to Constantinople; himself proceeded to Rome, put four eminent ecclesiastics to death, and, returning to Ravenna, died there shortly after 'by a most disgraceful death, the just judgment of God on his wicked deeds.'

Scholasticus (713–726), Grand Chamberlain and Exarch, transmitted to Pope Constantine, probably in 713, the letters of the shadow-Emperor Anastasius, in which he assured the Pope of his perfect orthodoxy.

Paulus (726–727) was sent by Leo III to enforce the iconoclastic edicts in Italy, and to arrest Pope Gregory II. He was prevented by the joint efforts of Romans and Lombards from executing the second part of this order, and was killed in an insurrection by the citizens of Ravenna.

Eutychius (727–752), the last Exarch of whom we have any mention [1], has figured both as a confederate with Liutprand, and as his antagonist, in the preceding history. He may have been still ruling when Ravenna fell before the assault of Aistulf, but of this we have no certain knowledge.

General character of the Exarchs.

This brief summary of the deeds of the Exarchs is derived, we must remember, chiefly from hostile sources.

[1] He may possibly have been Exarch once before. See p. 455, n. 1.

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An Exarch who lived on good terms with his ecclesiastical neighbours left no mark in history, while one who quarrelled with Pope or Archbishop was sure to have his name mentioned unfavourably by the Papal biographer or by Agnellus of Ravenna. Still, even on the one-sided evidence before us we may fairly pronounce the Exarchs to have been a poor and contemptible race of men. They evidently felt themselves to be strangers and foreigners in the land; and taking no interest in the welfare of Italy, their chief thought probably was how to accumulate sufficient treasure against the day of their return to Constantinople. Feebly oppressive, they were neither loved nor greatly feared by their subjects or their soldiers. Three of them were killed in insurrections or mutinies, and a fourth only just escaped the same fate through the intervention of the Pope. One tried to grasp the Imperial sceptre, but failed, and perished in the attempt. There is no trace of any great work undertaken by them, or of any wise and statesmanlike scheme for lessening the unhappiness of Italy. Even for their own proper business as soldiers they showed no special aptitude. City after city was lost by them to the Lombards, and not regained; and the story of their incompetent rule is at last ended by the capture of the hitherto impregnable city of Ravenna.

Consiliarius.

The most important person on the staff of the Exarch was his *Consiliarius*, who was addressed by the title of 'Most Eloquent,' or 'Magnificent.' This minister was still probably in theory what he was in the days when this office was held by the historian Procopius, whom I have ventured to call 'Judge-Advocate' to Belisarius[1]. A general like Belisarius,

[1] See vol. iii. p. 638.

who as general had according to Roman usage the power of trying causes (even though not of a purely military kind) in which soldiers were concerned, required a trained lawyer as his assessor, and such an assessor Belisarius found in the young legist, educated at Berytus, who, fortunately for posterity, was not a mere lawyer, but had also a true historical genius, and wrote for us the story of the wars of his chief.

But as the Exarch, though still in theory a military officer, gradually drew to himself more and more of the functions of a civil governor, of course the power and the responsibility of his legal assessor were proportionately increased, and it does not surprise us to find the *Consiliarius* (perhaps in the absence of his lord) himself sitting on the judgment-seat, and giving decisions on his own account [1].

Magister Militum = Dux.

Next however to the Exarch in the great official hierarchy stood the *Magistri Militum*, or *Duces*. These titles had, by a complete deviation from the usage of the times of Constantine, become practically interchangeable. At that time [2] the Magister Militum was a very important minister of State—notwithstanding the division between Masters of the Horse and Masters of the Foot, there were only eight 'Masters' altogether throughout the whole width of the Empire—and the

[1] So in Marini (Pap. Dip. No. cxxiii): 'Ex decreto quondam Johannis qui fuit [consiliarius] gloriosae memoriae Johannis Patricii et Exarchi Italiae: *nec non ex per judicio* [? praejudicio]. *Procopii viri eloquentissimi Consiliarii Domni viri eloquentissimi Eleutherii Chartularii Exarchi Italiae.*' The date of this document is probably about 617. It is of course a mere coincidence, though an interesting one, that this Consiliarius is also named Procopius. See Diehl, pp. 181–182.

[2] See vol. i. pp. 209–218 (604–613, 2nd edition).

Dux was a comparatively obscure military officer, merely *Spectabilis*, and standing below the *Comes* on the official ladder.

Now, in accordance with the general tendency of affairs under the Eastern Empire, the title of *Magister Militum* has become cheapened[1], so that there are very likely a dozen of them in Italy alone, but the title of *Dux* has been raised in dignity, so that he is now distinctly above the *Comes*. Referring to that which has been said in a previous chapter[2] as to the reasons which may have induced the barbarian nations to place the *Heretoga* above the *Graf*, we may now perhaps not too rashly venture the suggestion that the usage of the barbarians caused a change in the usage of the Empire, and that the dukes of Campania and Sardinia shone in the reflected glories of the dukes of Benevento and Spoleto[3].

[1] Thus, as Diehl remarks (p. 141), 'In 592 we find four *Magistri Militum* at once in the Roman district'—Aldio at Rome, Velox, Mauritius, and Vitalian in the immediate neighbourhood of Rome (Greg. Ep. ii. 29. 3 and 30).

[2] See vol. v. p. 183.

[3] As to the practical convertibility of the titles *Magister Militum* and *Dux*, see Hegel, i. 180, and Diehl, 141–142. Hegel says, 'We look on the *M. M.* as the special commanders of the army, whose generalissimo was the Exarch, whereas the *Duces* appear as military lieutenant-governors, who are sometimes named after the province over which they preside, sometimes after the city in which they dwell'; and Diehl says, 'At the head of the provincial administration was placed a military governor who generally bore the title of *Dux*, sometimes also that of *Mag. Militum*. Certainly, in strictness there is a considerable difference between these two titles. The *M. M.* is essentially a military chief: he has army-rank, but not an administrative function. . . . The *Dux*, on the other hand, is at the same time military chief and civil administrator. In the second place, while there is only

In the same way as the Exarch was supreme throughout Imperial Italy, so the *Dux* was, or became, during the period which we are now considering, supreme in the province which was under his rule, commanding the troops, nominating all the civil functionaries, fixing the taxation of the province, and constituting in himself the highest court of judicial appeal both in civil and criminal causes, subject always doubtless to an appeal from his decision to that of the Exarch.

Cartularius.

In close proximity to the *Dux* we find an officer of high rank called the *Cartularius*. In a letter of Pope Stephen III[1], written in 756, the *Cartularius* is mentioned between the *Dux* and the *Comes*. Gregory the Great desires a correspondent to bring the necessities of Rome before the 'Magnificent Man, lord Maurentius the *Cartularius*[2].' And in the year 638 we find

a single *Dux* to each province, it is not rare to find many *Magistri Militum* in the same district, commanding different detachments stationed therein, and doubtless placed under the orders of the provincial *Dux*.

'Still, in the same way as the *Dux*, leaving his duchy, sometimes ceases to be a governor in order to discharge simply the office of a general (e. g. the *Dux* of Perugia commands the Byzantine troops at the attack on Bologna, H. L. vi. 54), so inversely, the *M. M.*, though essentially a military officer, may add to his command administrative functions.

'In this case he generally adds to his rank of *M. M.* the administrative title of *Dux*, but in practice it is not uncommon to see the two terms used indifferently one for the other. Thus Gregory the Great (Ep. i. 49) calls Theodore, governor of Sardinia in 591, by turns *Dux* and *Mag. Militum*: the same thing at Naples, where the *M. M.* Maurentius possesses all the attributes of a *Dux* (Greg. Ep. ix. 38–69); the same thing also at Ravenna, where the same person is mentioned once with the title of *Dux*, and a little later with that of *Magister Militum*.'

[1] Codex Carolinus, 9. [2] Ep. i. 3.

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Maurice the *Cartularius*, apparently the chief Imperial officer in Rome. He incites the Roman soldiers to rebellion by pointing to the stored-up treasures of the Lateran, out of which their wages might well be paid: he enters the Lateran palace along with the civil rulers[1], seals up all the treasures of the sacristy, and sends word to the Exarch Isaac, inviting him to come and divide the spoil. Later on (*circa* 642) he foments a rebellion against Isaac himself, which is suppressed by Donus, *Magister Militum*; he flies to S. Maria ad Praesepe for shelter, is dragged thence, and sent to Ravenna for execution[2].

In all these transactions the *Dux Romae* is never mentioned. I am disposed to conjecture that what the *Consiliarius* was to the Exarch, the *Cartularius* was to the *Dux*; his assessor, and chief legal adviser, who in his absence acted as his representative, and who may perhaps during some casual vacancy of the office have pushed himself into a position of supremacy, and maintained it by the arts of the military demagogue, till it became necessary for the Exarch to remove him by force[3].

Before we part from the *Dux* and his staff, we must take particular notice of two dukes, who from the scene of their administrative labours possess an especial

[1] 'Judicibus.' [2] See pp. 170–173.

[3] Comp. Diehl, pp. 151, 155, for a somewhat different view of the functions of the *Cartularius*, who, after all, remains somewhat of a puzzle to him. He thinks that the *Dux*, like the Exarch, had a *Consiliarius*, who was therefore a different person from the *Cartularius* (on his staff), but says candidly, 'Dans l'Italie Byzantine aucun texte ne mentionne formellement un *consiliarius* ou *assessor* à côté du *dux*.' This silence seems to me an argument of some weight in favour of the view in the text.

interest for us. The *Dux Romae* is not mentioned by that name in the letters of Gregory, but it is probable that in the course of the seventh century the *Magister Militum* at Rome was addressed by that title. For an express mention of a Duke of Rome we must wait till the beginning of the eighth century (711–713), when a large part of the Roman populace refused to receive Peter as duke because he was the nominee of the heretical emperor Philippicus, and with arms in their hands vindicated the claim of his predecessor Christopher. Evidently by that time the *Ducatus Romae* had become a well-known office in the state. After the events of 726, and the uprising of the Roman population against the decrees of the Iconoclastic Emperor, the Duke of Rome, though still keeping his high office, seems to have more or less broken off his connection with Ravenna, and become for the remainder of the century the humble servant of the Pope [1].

Dux Romae.

Dux Neapoleos.

So too the *Duke of Naples*, though ruling over a very limited territory, became at an early period, owing to the remote and detached position of his duchy, comparatively independent of the Exarch at Ravenna. This tendency is perhaps indicated by the insurrection of Joannes Compsinus (about 618), though we have no distinct authority for calling him duke, and though his rebellion was soon suppressed. But in the eighth century, though the dukes of Naples did not break off from the Eastern Empire, and in fact fought against the Roman insurgents on behalf of the Iconoclasts, there was an evident tendency on their

[1] See Hegel, i. 226–229, both for the *Dux Romae* and the *Dux Neapoleos.*

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part to become hereditary nobles instead of mere nominees of the Emperor, holding office at his pleasure. The Duke of Naples at this time seems to be generally called *Consul*, as well as *Magister Militum*. About 768 he joins the office of bishop to that of duke, and in the following century (but this is beyond our horizon), the descendants of this duke-bishop almost succeed in making both dignities, the spiritual and the temporal, hereditary in their family.

Tendency of the Duchies to split up.

It should be noticed that from the early part of the eighth century onwards, probably because of the weakened hold of the central government upon them, there was a tendency in the duchies to split up into smaller districts, each of whose rulers assumed the coveted title of *Dux*. The Papal biographer[1], as we have seen, describes the result of the iconoclastic decree to have been that 'all men throughout Italy, spurning the Emperor's orders, chose dukes for themselves, and thus provided for the Pope's safety and their own.' As a result, we find the number of dukes greatly increased. Perugia, Ferrara, Fermo, Osimo, Ancona, has each its duke, and probably fuller histories of the time would give us many more. How strongly this splitting-up of the duchies, coinciding with their liberation from Imperial control, would tend towards making the dignity of duke hereditary in certain families, and preparing the way for a feudal nobility in the Italy of the Romans, as well as in the Italy of the Lombards, will be at once perceived by a student of history.

Tribuni.

Of the *Tribuni*, the military officers with civil powers, who came next below the *Duces* in the Imperial

[1] In Vitâ Gregorii II.

hierarchy, we are not able to say much. The reader will not need to be reminded how completely in the Imperial age the word 'Tribune' had lost that signification of a defender of popular rights which once belonged to it, and how it was ordinarily applied to a military officer [1] ranking above the centurion, and corresponding pretty closely with our 'Colonel.' No doubt, then, the Tribunes who commanded the detachments of troops in the various towns of the province of which the *Dux* was governor, were essentially and in theory military officers; but we have abundant proof in the letters of Gregory I [2] that already, by the end of the sixth century, they joined to their military functions all the ordinary civil duties of the governor of a town. The Tribunes, to whom Gregory writes (and who, though styled *magnifici* and *clarissimi*, are nevertheless addressed by him in a tone of patronising condescension which he does not employ to *Duces* and *Magistri Militum*), are desired to redress financial grievances, to restore runaway slaves, to assist a niece to recover her uncle's inheritance, and so forth; all of them affairs entirely foreign to a military officer's duties. Thus we see here in a very striking manner how 'the toga' was giving way to 'arms,' the officer

[1] The fact that we have under the Empire *Tribuni rerum nitentium*, whose business it was to take charge of the statues and other works of art in public places in Rome, *Tribuni voluptatum*, who had the superintendence of the public games, and so on, prevents our speaking of the Tribune as an exclusively military officer at this period. Still, even these Tribunes were probably in theory part of the military household of the Emperor by whom they were appointed. [See Hartmann, Gesch. Italiens. ii. p. 58, about the position of the *Tribuni*.]

[2] See Greg. Ep. ix. 46, 99; xi. 24.

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stepping into the place of the civil servant in all the cities of Italy. Perhaps we may even say that the substitution took place earlier in the lower ranks of the services than in the higher; that by the time of Gregory the *Tribunus* had generally ousted the *Judex*, though the *Dux* had not yet entirely replaced the *Praeses*.

Was *Tribunus* equivalent to *Comes*?

The same officer who bore the title of *Tribunus* was also sometimes addressed as *Comes*, and we are tempted to say that these two titles were interchangeable, like those of *Magister Militum* and *Dux*; but it is difficult to speak with any certainty on this subject. 'It is certain' (I borrow here some sentences from the latest French expositor) 'that from the beginning of the eighth century the exact hierarchy of titles begins to get into strange confusion; the ambition to wear a more sonorous name, the desire to amass a larger fortune by the *prestige* of an important post in the administration lead the chiefs of the Italian aristocracy to beg for dignities and titles from Byzantium, or to assume them on their own authority. Governors of towns call themselves Dukes, great proprietors intrigue for the functions of the Tribune, which become a hereditary title of nobility in their families; and administrative dignities go on multiplying, without any longer necessarily corresponding to real offices in the State[1].'

Early history of Venice.

The result of this examination into the political organisation of Imperial Italy from the sixth to the eighth century throws an important light on the dark and difficult subject of the early history of *Venice*. As has been already hinted, we have exceedingly slight authentic and contemporary materials and a

[1] Diehl, p. 117.

too copious supply of imaginative fourteenth-century romance for the reconstruction of that history. But, to repeat what was said in the preceding chapter, the uniform tradition of all the native historians, coinciding as it does with the contemporary letters of Cassiodorus, seems to prove that for two hundred years, from the close of the fifth century to the close of the seventh, the inhabitants of the islands in the Venetian lagunes were under the sway of rulers called *Tribuni* (Cassiodorus calls them *Tribuni Maritimi*), one for each of the twelve islands. About the year 697 they came together and chose one supreme ruler for the whole territory, who was called *Dux*: these *Duces* ruled the islands for about forty years, each one holding his office for life. Then annual magistrates, called *Magistri Militiae*, were appointed in their stead. This experiment, however, was found not to answer, and in 742 a *Dux* was again appointed, thus reinstating a line of elective life-magistrates, who for 1054 years ruled the cities of the lagunes, and for nearly 1000 years the one central queenly city of the Rialto, and whom history knows as the *Doges of Venice*. So much our inquiries into the contemporary history of Imperial Italy enable us easily to understand. The *Tribuni*, each one ruling in his own little island-town, are the Imperial officers whom we should expect to find there. If the islanders were from any cause detached from the rule of the *Dux Histriae et Venetiae* towards the close of the seventh century, during the troublous reign of Justinian II, it was natural that the inhabitants should elect a *Dux* of their own, hereby illustrating both the tendency towards a splitting-up of the great duchies into little ones, and the tendency towards popular election which

742–1796.

810–1796.

became manifest when events weakened the hold of the Empire on the loyalty of the Italians. And what we have learned as to the almost equivalent value of the titles *Dux* and *Magister Militum* enables us readily to understand why, during the temporary obscuration of the life-ruling *Dux*, an annual *Magister Militiae* should be substituted in his place. The point on which we are not entitled to speak is as to the extent to which popular election may have entered into all these official appointments, especially into the appointment of the *Tribuni* who ruled in the several islands for two centuries. By analogy with the rest of Imperial Italy, we should expect these Tribunes to be nominated by a Duke or an Exarch, and so ultimately to receive their authority from Constantinople. It is possible that the peculiar circumstances which led to the foundation of the cities of the lagunes and their strangely strong geographical position may have rendered them more independent of the officers of the Empire than the other cities which still owned its sway. But, on the other hand, all our information about them comes to us coloured by the fancies of men who lived long after Venice had thrown off the yoke of the Empire; nay, some generations after she herself had borne a share in the sack of Constantinople. Historians like Dandolo and Sabellico, with these thoughts in their minds, were sure to minimise the degree of their ancestor's dependence on the Empire, and to exaggerate the amount of independence possessed by their forefathers. Perhaps, too, even their knowledge of Roman history, imperfect as it may have been, led them to think of a Tribune as a sturdy champion of popular rights, like Tiberius or Caius Gracchus, rather than as the sleek, obsequious

servant of an absolute master, who was really denoted by the term *Tribunus* in the sixth century after Christ.

Question as to survival of the *Curiae*.

We have now gone through all the higher members of the political organisation of Imperial Italy during the Lombard dominion, and have certainly so far seen no germs of freedom which could account for the phenomena afterwards presented by the great Italian Republics. This is fully admitted by Savigny himself, who holds that all the higher ranks of the civil magistracy of the Empire disappeared under the waves of change, but thinks the minor municipal magistracies survived, partly by reason of their very obscurity[1]. The question which thus presents itself for solution is whether the local senates or *Curiae* of the cities of Italy did or did not survive through those centuries of darkness, to the dawn of republican freedom in the twelfth century.

Degradation of the *Curiae*.

To prevent needless repetition I refer my readers to an earlier section of this history[2] for a sketch of the rise and fall of the municipal system of the Empire. The reader, if he turns back to that section, will see how the once flourishing and prosperous town-councils of Italy and the provinces became transformed into life-long prisons, in which the unhappy members of a once powerful middle-class were penned like sheep, awaiting the 'loud-clashing shears' of the Imperial tax-gatherer. At the time of Justinian the condition of these 'Senators' (as they were called with cruel courtesy) was still unaltered. In a law passed in the year 536[3], the Emperor laments in his stately language

[1] Vol. i. p. 289. [2] Vol. ii. pp. 596–619 (576–596, 2nd edition).
[3] Nov. 38 (Const. xli, ed. Lingenthal).

that the Senates which were established in every city of the Empire, in imitation of the Senate in the capital, are falling into decay, that there is no longer the same eagerness which there was in old time to perform public services [1] to one's native city, but that men are wilfully denuding themselves of their property, and making fictitious presents of it during their lifetime, in order to evade the statutory obligation to leave at least one-fourth of that property to members of the 'Senate.' The Imperial legislator accordingly raises the proportion which must be thus left, to three-fourths. If a man leave legitimate children, they become perforce 'senators,' and take the whole property with the burden. If he leaves only illegitimate offspring, they are to be enrolled in the 'Senate' if they receive a bequest of this three-fourth fraction, otherwise it all goes straight to the *Curia*. If he leave only daughters, they must either marry husbands who are 'senators,' or relinquish all claim to anything but one-fourth of their father's estate [2]. All these provisions show that we are still face to face with that condition of affairs in connection with the *Curia*—nominal dignity, but real slavery—which we met with a century and a half before in the legislation of Theodosius and his sons. We see from the letters of Pope Gregory that the same state of things continued half a century after the legislation of Justinian, for he forbids the ordination not only of bigamists, of men who have married widows, of men ignorant of letters, but also of those 'under liability to the *Curia*,' lest, after having received the sacred

[1] λειτουργήματα.

[2] The word βουλευτής, which I have translated 'senator,' is of course equivalent to 'curialis.'

anointing, they should be compelled to return to public business[1].

Disappearance of the *Curiae* in the East.

In the East, however, it is clear that, for some reason or other, not even as convenient taxing-machines could the *Curiae* be kept permanently in existence. It was perhaps the institution of a new order of tax-gatherers called *Vindices*, and the assignment to them of the functions formerly discharged, much against their will, by the Decurions, which brought about this change. Certain it is that about the year 890, the Emperor Leo VI, in an edict which I have already quoted[2], abolished the last vestiges of the *Curiae*, which he described as imposing intolerable burdens, conferring imaginary rights, and 'wandering in a vain and objectless manner round the soil of legality.'

Did they also disappear in the West?

This having been the course of affairs in the Eastern Empire, we should certainly expect to find that the *Curiae* had not a longer life in the West. With war and barbaric invasion raging round them, with the tendency which we have observed in Imperial institutions to imitate those of the Germanic peoples, especially the tendency of offices to become hereditary and thus to prepare the way for a feudal nobility, we certainly should not expect these *Curiae*, the pale spectres of long-dead republics, to maintain themselves in being for six centuries. The negative conclusion on this subject to which *a priori* probability leads us is that at which the majority of scholars have arrived as the result of *a posteriori* reasoning. But one great name, that of Carl Friedrich von Savigny, is inscribed on the

[1] 'Videndum etiam ne sine litteris aut ne *obnoxius curiae* compellatur post sacrum ordinem ad actionem publicam redire' (Ep. iv. 26).

[2] Vol. ii. p. 618 (1st ed.), 596 (2nd ed.).

other side of the question, and in deference to that opinion (from which no historical student differs without reluctance) we must look a little more closely at the constitution of the *Curiae*, such as they undoubtedly still subsisted on the soil of Italy at the end of the sixth century.

The Decurionate originally an honour.

In the old and flourishing days of the Italian municipalities, as we have seen, the *Decurions* had been an aristocracy, ruling their native city, and proudly holding themselves aloof from the *Plebeii* around them. It had been an honour eagerly sought after to have one's name inscribed in the *Album Curiae*[1]. Here were to be found first of all the names of the *Patroni*, or, as we should call them, honorary members; either home-born sons of the *Curia*, who had passed through all the grades of office up to the highest; or eminent Italians outside the *Curia*, on whom it had bestowed, as we should say, 'the freedom of the city.' Here, too, were those who were serving, or had served, the office of *Duumviri*[2], the office which imitated in each provincial town the position of the Roman Consulate, and which shared some of its reflected splendour. Here were other lower functionaries, who, as at Rome, bore the titles of *Aedile* and *Quaestor*; and here also was an officer called the *Quinquennalis*, appointed only once in five years, and whose dignity, corresponding to that of the Roman Censor, seems at one time to have overshadowed even that of the *Duumviri* themselves.

The *Album Curiae*.

[1] The best example of such an *Album Curiae* is that of Canusium, published by Orelli, No. 3721, and commented upon by Savigny, i. 93.

[2] Sometimes *Quatuorviri*. The full title was *IIvir* or *IVvir juri dicundo*.

In the sixth century, the names, and hardly more than the names, of these municipal magnates still survived. The *Duumviri* appear to be alluded to under the more general term *Magistratus*. The continued existence of the *Quinquennales* depends on the rendering of a doubtful contraction in the papyrus documents of Marini[1]. By a series of changes which even the patient labour of German scholars has hardly succeeded in fully developing, the power, such as it was, of the Italian *Curia* seems to have been concentrated in two officers, unknown in the third century, the *Curator* and the *Defensor*.

Curator.

1. The *Curator*[2] seems to have exercised those administrative and financial powers which we in England associate with the title of Mayor—perhaps adding thereto that of Chairman of the Finance Committee of the Corporation. The *Curator* of a large city like Ravenna was still an important person in the year 600. Gregory the Great addresses him as *gloria vestra,* consults him about important affairs of state such as peace with the Lombard king, asks him to obtain for certain soldiers their arrears of pay, recommends to his good offices the wife of the Prefect of Rome, who is visiting Ravenna[3]. If we may identify

[1] Ql (in Marini, 74, 84, 114–116), which Marini interprets *Quinquennalis.* But Diehl suggests that perhaps the characters should be read Vl=vir laudabilis (p. 98, n. 8).

[2] I follow Marquardt (Römische Staatsverfassung, i. 487) in dissenting from Savigny's and Hegel's identification of the *Quinquennalis* and the *Curator.* The very name of the former seems to me to be against that identification. How could ordinary administrative functions, the control of the finances, &c., cease for the four years during which there was no *Quinquennalis*?

[3] Greg. Ep. ix. 98; x. 6; ix. 6.

BOOK VII. CH. 18.

him, as seems probable, with the *Major Populi* whom we meet with at Naples, he had charge of the gates of that city, and vehemently resented the pretensions of a meddlesome and arrogant bishop to interfere with him in his work of guarding the city, and to raise up a party antagonistic to his government [1].

These last letters of Pope Gregory probably indicate to us one reason for the disappearance of the *Curator* from all our later historical documents. The bishop was rapidly becoming the most important person in all that related to the peaceful administration of the city. Between him and the military governor, the *Tribunus*, there was left but little room for the popularly-elected *Curator* or *Major Populi*, and so in the course of the seventh and eighth centuries he vanishes from the scene [2].

Defensor.

2. Similar, probably, was the fate of the *Defensor*, who at the beginning of our period stood at the head of all the local functionaries, taking precedence both of *Curator* and *Duumviri*. His office, however, was chiefly a judicial one, and we may therefore, recurring to our English analogy, call him the Recorder, as the *Curator* is the Mayor of the town. The *Defensor Civitatis*, that officer whom the Empire had called into existence in order to protect the humbler classes against the rapacity of its own instruments, had gradually grown into an important magistrate, with a court and official retinue of his own [3]. He himself had become too often arrogant

[1] Greg. Ep. ix. 69, 104.

[2] This is Diehl's view (pp. 110–111).

[3] For the earlier history of the *Defensor*, see vol. i. pp. 625–628 (2nd edition). Some of the later developments also are there alluded to.

and oppressive, a wolf instead of a sheep-dog to the flock. Then, again, he too, though not one of the down-trodden *Curiales*, had declined in power and reputation, so that, as Justinian himself says[1] in his 15th Novel, 'The office of *Defensor* is so trampled upon in parts of our dominions, that it is considered a disgrace rather than an honour to possess it. For it is now sought after by obscure persons in need of food and clothing, and given to them as a matter of charity rather than of proved fitness. Then the governors remove them at their pleasure for the most trifling fault, or for no fault at all, and put other persons in their room whom they call "place-keepers[2]," and this they do many times a year; so that the men of their staff and the rulers and inhabitants of the city hold the *Defensor* in utter contempt. Moreover, their judicial acts might as well never take place at all. For if the governors of the provinces order them to do anything in their official capacity, they generally do not presume to keep any record of their acts, looking upon themselves as the humble servants of the governor, whose nod they obey. Or, if they do make a record, in the first place they sell it [to one of the litigants], or secondly, as they have no place for storing their archives, the record is practically lost, and those who may desire to refer to it at a later day have to hunt it up from their heirs, or other successors, and generally find it worthless when they have obtained it.'

Justinian's reforms in the *Defensor's* office

In order to remedy all these abuses, Justinian ordained that the office of *Defensor* should be a biennial one, that he should be chosen by the bishop, clergy, and

[1] Const. xxxv, Lingenthal.

[2] τοποτηρητάς; loci servatores.

respectable citizens from among the more influential inhabitants of the city; that each one in his turn should be obliged to accept this public charge[1], and that none, even of 'Illustrious' rank, should be allowed to decline it. If any one after this enactment presumed to refuse to undertake the office, he was to be fined five pounds of gold (£200), and was still to be compelled to act as *Defensor*. The *Defensores* were not to be removed from office, nor to have 'place-keepers' appointed in their stead, by the ordinary provincial governors. If there were any complaint against their administration, the Praetorian Prefect alone was empowered to remove them. There were assigned to each *Defensor* from the staff of provincial servants, one reporter (*Exceptor*) to take minutes of his decisions, and two *Officiales* to carry them into effect.

To remedy the inconvenience which had arisen from the loss of documents in the *Defensor's* office, Justinian further ordered that a public building should be set apart in each city, in which he should store his records, under the care of an officer appointed for that purpose. It was hoped that thus the archives might be kept uninjured, and might be accessible to all men.

The *Defensor* becomes a judge.

Under this law, the *Defensor* received, perhaps for the first time, the power of deciding civil cases up to the above-mentioned limit of 300 solidi[2]. He had also summary criminal jurisdiction in all cases of slight importance, and the power of detaining graver offenders in prison, and sending them to the Praetor for trial.

[1] Justinian uses here the word λειτουργία, and says, 'We have learned that the men of old times held this to be part of the duty of a citizen.'

[2] £180, probably quite equivalent to £300 in our day.

In short, his functions greatly resembled those of an English magistrate, with some of those which belong to a County Court Judge added thereto. Wills also, and voluntary donations, were registered in his court, and the provincial governor was not to seek to deprive him of this 'voluntary jurisdiction.'

The Novel in question was evidently a serious and well-considered attempt to make this popularly chosen judge, who was to be elected from among the local magnates, a great and important part of the machinery of government. As far as it went, it was an attempt to decentralise administration, and to invite the wealthier provincials to take their share in the life of the state.

Continued decline of the *Defensor's* office.

This attempt however, like those previously noticed in the same direction, probably failed under the pressure of the times. We cannot speak with any certainty on the subject, owing to the paucity of our materials, but the letters of Pope Gregory lead us to infer that in his day the office of *Defensor Civitatis* was not one of any political importance [1]. He too, there is reason to think, found himself squeezed out between the Bishop and the *Tribunus*. The Church and the Army so occupied the ground that there was no room for the delicate plant of local self-government to flourish between them.

Evidence derived from the

If this is the general conclusion to which our historical materials, slender as they are, seem to lead

[1] We have abundant references to the *Defensores Ecclesiae*, a numerous and powerful body, but quite distinct from the *Defensores Civitatis*. The only clear reference to the latter appears to be in Greg. Ep. x. 28: 'Sabinianus vir clarissimus . . . praedictae civitatis defensoris officium tenuit.'

Ravenna documents.

us, what, it may well be asked, is the evidence by which Savigny could possibly be led to imagine a continuous life of municipal institutions, lasting on till the twelfth century? The answer is contained in the very interesting documents edited by Marini, which do certainly show that there was more tenacity of life in the old Curial organisation than we should have supposed from the evidence mentioned above. We have here a nearly continuous chain of documents, reaching from the days of Odovacar (*circa* 480) down to 625, all showing the *Curia* as still existing as a *Court of registry for legal instruments.* We have here the records of sales, donations, the appointment of a guardian, wills, the discharge of claims under a will[1], and so on. The documents have almost all come from the archives of the Church at Ravenna, and relate chiefly to that city and its neighbourhood, but there is no reason to doubt that every other city in Italy could show many others like them, had they been preserved with equal care. In these documents in Marini's collection, we meet with nearly all the names of magistrates that have been described above. The *Defensor*, the *Quinquennalis*, the *Magistratus* (who is no doubt equivalent to *Duumvir*), all figure in these papyri as witnesses to the various transactions recorded: and it is often expressly said that the

[1] This 'Instrumentum Plenariae Securitatis' (lxxx. in Marini's collection) was for a long time supposed to be the will of Julius Caesar! It is the discharge given by Gratian, the sub-deacon, guardian of the young Stephanus, to the widow Germana, for the portion of goods left to Stephanus by his father Collectus. Ducange's Glossary of Mediaeval Latin has been enriched by about thirty words, the names of articles in domestic use, drawn from this document alone.

persons concerned in them have asked that they may be inscribed on the proceedings of the *Curia*[1]. The *Curator*, however, does not appear, an absence which is by some attributed to his being veiled under the title *Quinquennalis*, while another suggestion is that as an administrative officer he had no concern in these quasi-judicial proceedings of the *Curia*[2].

It is then on the strength of these most interesting documents that Savigny grounds his theory of the survival of the *Curiae* through the darkest part of the Middle Ages. It is true that the documents do not bring us down below 625, but it is perhaps fair to argue that this is an accident due to some special circumstances in the history of the Church of Ravenna, and that a more careful storage of the archives would have shown us some of a later date.

But even so, and without insisting too much on the great gap which intervenes between the seventh century and the twelfth, may we not fairly ask, what do these documents prove as to the political state of Italy? We have in them traces of certain courts still lingering on as mere courts of registration. These subscribing and attesting witnesses do not, for anything that the documents show us, possess any power in the city. Their functions are only what we call

[1] 'Gestis municipalibus allegandi tribuerunt licentiam' (cxxii, cxxiii). 'Quod lectum est actis indetur' (lxxiv).

[2] This is Diehl's view. 'Le curateur qui depuis le commencement du quatrième siècle est devenu un magistrat municipal élu, a hérité dans la cité des attributions administratives et financières des duumvirs et des édiles: il ne saurait donc participer aux actes de juridiction volontaire réservés au magistrat et à la curie, et, en effet, il ne figure point dans les papyrus de Marini' (p. 98). I cannot say that the explanation is altogether satisfactory, since *Magistratus* (=*Duumvir*) does appear in these documents.

notarial functions, and it is but in accordance with what we might have expected that we find the word *Curialis* used in the ninth century (as Savigny himself admits) as a title equivalent to that of *Exceptor*, or registrar of the Court[1].

To me the nearest analogy to these *Curiae* of the seventh century, which Savigny regards with such romantic interest, and in which he sees the germs of the glorious Italian *Comuni* of the thirteenth century, is the 'courts baron' and 'courts leet,' which still preserve a lingering existence in our own country. In the absence of a complete system of registration, these little Courts of ours have their value. The steward of the manor (generally a local attorney) and a few copyholders on the estate are aware of their existence, and can tell an intelligent inquirer when they will be held. But they are absolutely without influence on the political condition of the districts in which they meet, and the majority of the inhabitants would never notice their disappearance if they dropped absolutely out of existence. If we can imagine these faint survivals becoming once more great and powerful realities, or rather becoming greater and more powerful than they ever were in the noonday of the feudal system, if we can imagine them making and unmaking ministries, and determining the destiny of England, then, as it seems to me, we may also imagine the *Comuni* of Florence or of Siena descending from the *Curiae* of the Imperial age.

[1] Savigny, i. 365; Diehl, 107; Hegel, i. 303.

NOTE G. ON THE CONTINUED EXISTENCE OF THE SENATE OF ROME DURING THE SEVENTH AND EIGHTH CENTURIES.

THE question discussed in the previous chapter as to the duration of the local *Curiae* suggests one of equal difficulty with reference to the venerable mother of all *Curiae*, the Senate of Rome.

The harsh treatment which this body suffered at the hands of Totila has been recorded in the fourth volume[1]. Where Totila only upbraided and imprisoned, his more ruthless successor Teias put to death[2]; but this was not a universal massacre, and many Senators were at this time safely harboured in Sicily. Doubtless therefore a considerable number returned to Rome after the fall of the Gothic domination; and that they once more assembled *as a Senate* is proved by the before-mentioned clause in the Pragmatic Sanction, which entrusts to the Senate, in conjunction with the Pope, the superintendence of the weights and measures for the Italian provinces[3]. It does not seem, however, to have been part of the policy of the Byzantine Emperors to treat the Senate with the same deference which Theodoric generally showed towards that body. The letters of Pope Gregory do not allude to any important political action taken by them, not even when we might naturally have looked for it, as for instance in connection with the peace concluded with Agilulf. From an expression used by Gregory in his homily on Ezekiel about the 'failing of the Senate[4],' some have inferred that the Senate actually came to an end at this time, a conclusion which seems confirmed by the words of Agnellus of Ravenna, assigning the decay of the Senate to the period of the Lombard conquest[5]. Both these statements, however, may be accounted for by the tone of

[1] pp. 564, 570. [2] See vol. iv. p. 734. [3] See p. 523.

[4] 'Quia enim Senatus deest populus interiit' (ii. 6).

[5] 'Deinde paulatim Romanus defecit Senatus, et post Romanorum libertas cum triumpho sublata est' (§ 95, p. 338, ed. M. G. H.).

NOTE G. oratorical exaggeration natural to the pulpit. A more serious symptom is the entire silence of the Papal biographer as to any senatorial action during the seventh and the first half of the eighth centuries. As the Senate had, at an earlier time, taken a leading part in the election of the Popes, this absolute silence on the part of the Papal biographer is the more remarkable, and makes one almost ready to accept Hegel's conclusion [1], that the Senate did really cease to exist in the lifetime of Gregory the Great, or soon after his death.

But after all this is only that most dangerous mode of reasoning, the *argumentum e silentio*. And the silence is broken in an extraordinary manner in the eighth century by certain letters from the Popes to the Frankish kings. In 757, Pope Paul I writes to Pippin in order to assure him of the devotion of the Roman people to his cause. The letter [2] is entitled 'Pippino Regi Francorum et Patricio Romanorum *omnis Senatus* atque universa Populi generalitas.' Another letter of the same Pope uses the expression, 'cunctus procerum *Senatus* atque diversi populi congregatio [3].' In 776 Pope Hadrian I, in writing to the Emperor Charles, says that he 'cum Episcopis, Sacerdotibus, clero atque Senatu et universo populo,' prays God to give the victory to the Frankish king [4]. The Papal biographer also mentions that this same Pope, in his dedication of a chapel to St. Peter, was accompanied in triumphal procession 'cum cuncto Clero suo *Senatuque Romano* [5].' The next Pope, Leo III (795–816), on his return to Rome, is met by 'tam Proceres clericorum cum omnibus clericis, quamque Optimates *et Senatus* cunctaque Militia et universus populus Romanus [6].'

These quotations certainly give us the impression that the Senate was still a visibly existing body down to the end of the ninth century. The view, however, taken by some commentators [7], from whom I am loth to dissent, is, that *Senatus* is here a mere form of speech, due to the revival of memories of Old Rome at the time of the erection of the Franco-

[1] I. 275. Diehl, who here follows Hegel, says—too positively as it seems to me,—'un fait demeure certain, depuis la fin du sixième siècle, et durant toute l'époque byzantine, le sénat romain avait complètement cessé d'exister' (p. 127).

[2] Codex Carolinus, 13.

[3] Ibid. 24.

[4] Ibid. 59.

[5] Lib. Pont. i. 506 (ed. Duchesne).

[6] Ibid. ii. 6.

[7] Especially Hegel, i. 276–281, and Diehl, 127.

Roman Empire, memories which were doubtless fostered by the great letters S. P. Q. R. on so many Roman monuments. According to this view *Senatus* is merely another way of saying 'the Roman nobility.'

It may be so, but I confess that I do not like, after having relied so strongly on the argument from silence drawn from the scanty records of the century and a half from 600 to 750, when at length we come to a period of much more copious information, and then meet pretty frequently with the word *Senatus*, to turn round and say, 'True, the word is there, but it has changed its meaning.' I should rather be inclined to suggest, that though the Roman Senate had undoubtedly fallen from its high estate, and was no longer even such as it had been in the days of Theodoric, it may have lingered on as the Roman *Curia*, a sort of glorified vestry, attending to so much local and urban business as the *Dux Romae* and the ever-widening activity of the Pope were willing to leave it.

Even so, however, it cannot have continued long. When we come to the tenth century, to the rule of Theodora and Marozia, their lovers and their sons, and find these miserable women wearing the title of *Senatrix*, and their male adherents disgracing the once mighty name of *Senator*, we see that the Senate as a body must have ceased to exist, and only dim recollections of vanished senatorial dignity can have lingered in the minds of the degenerate citizens of Rome.

Partly in this connection I may notice a suggestion of Hegel (i. 294–299), which has, I think, a very important bearing on the question of the continued existence of the *Curiae*. He points out that in the documents and chronicles of the eleventh and twelfth centuries we find the word *Curia* used obviously with the meaning of *Court*. Thus we have *Curi Papae*, *Curia Regalis*, and so on: *urialis* is equivalent to courtly, and *curialitas* to courtliness or courtesy. This usage in France and Germany can be traced as far back as the ninth century. It curiously, and at first rather perplexingly, intertwines itself with the use of *Curtis* for the same thing. This latter word, probably connected with the Latin *cohors*, came to mean (as our word *court*, derived from it, means) either the park-like entrance surrounding a mansion, or the residence and retinue of a king or great nobleman.

NOTE G. Now, how did these two words, *Curia* and *Curtis*, come to be so singularly interchanged? Hegel suggests that *Curia*, the place of meeting of the old local senate, became literally the *court-house*, the place where the governing bodies of later centuries (not then composed of the poor, down-trodden, and now vanished *curiales*, but of really influential citizens, *optimates*, *seniores*, and so forth) held their sittings. In this very building, the ruler, as he became more of a feudal lord, 'held his court.' And thus, the scent still clinging to the casket, though its original contents had disappeared, *Curia* as a building regained the meaning which it had possessed long centuries before, of *the home of the rulers of the city*.

CHAPTER XIV.

POLITICAL STATE OF LOMBARD ITALY.

Authorities.

Sources:—

PAULUS DIACONUS and the LOMBARD LAWS.

Guides:—

The authors who have treated of the subject of the following chapter—one of the most difficult in the history of the Middle Ages—are numerous and important. I will not attempt to enumerate even all whom I have myself consulted, but will mention the four from whom I have derived most assistance.

1. *Savigny*, in the first volume of his 'Geschichte des Römischen Rechts im Mittelalter,' argues with unsurpassed force and weight of learning on behalf of his favourite theory that not only Roman Law, but to some extent Roman institutions and Roman franchises, survived the storm of the barbarian conquest of Italy. The Lombard laws, in his view, concerned the Lombards alone, and he believes that the Romans in Italy lived their own life, molested doubtless, but not deprived of all rights of citizenship by their conquerors.

2. Against this view *Troya*, in almost every page of his 'Codice diplomatico-Longobardo,' argues with nearly equal learning, with great *copia verborum*, and, it must be confessed, with much wearisome repetition. He will have none of Savigny's theory of Personal Law in Lombard times; and at each successive

enactment he stops to ask the question, 'How could this apply to the Lombard only and not to the Roman also? Must not this law be *territorial*?'

3. *Hegel*, in his 'Geschichte der Städteverfassung von Italien,' adopts in the main the same views as Troya, but defends them in a calmer tone, and with a wider survey of the whole field of controversy. He is to my mind the most helpful writer we have had on the question of the origin of the Italian Republics.

4. But on the whole, for a concise, clear, and temperate statement of the question of the condition of the Romans under the Lombards, there is nothing better than what Hegel calls the two precious essays of Marquis *Gino Capponi*, 'Sulla dominazione dei Longobardi in Italia.' They are in the shape of letters addressed to his friend Prof. Pietro Capei, and were published in the Archivio Storico Italiano (App. 7), but have been reprinted separately. They occupy only fifty-four pages, but contain an admirable summary of the whole question now before us. Capponi is mainly on the side of Troya and opposed to Savigny, but he suggests several lines of thought which will not be found in either of those authors. I could wish that a translation of these valuable essays were in the hands of the English reader.

We now turn to consider the political and social state of the much larger portion of Italy which was under the rule of the Lombard conquerors. Our enquiry into this part of the subject may be shorter than that which occupied us in the last chapter. Documentary evidence (except that furnished by the laws, which we have already examined) is scanty and obscure. The best evidence is that which is furnished by the actual history of the Lombard State as exhibited in the course of these two volumes, and from that evidence each individual reader can form his own conclusion.

Thus in the first place, as to him who stood at the

head of the State, the king of the Lombards in his palace-hall at Pavia, we can feel instinctively what perhaps cannot be expressed scientifically, how the two elements of election and hereditary descent concurred, when the throne was vacant, towards the determination of its next occupant. The element of popular election, present in all these Teutonic monarchies, was there, but there was also a strong preference for the representatives of certain special lines of descent, especially during all the seventh century for the representatives of the sainted Theudelinda. Thus the succession to the throne, though much less strictly hereditary than that which obtained amongst the Franks, was much more so than that of the Visigoths. In Spain before the Moorish conquest and after the fall of the monarchy of Toulouse there was hardly a single royal family that succeeded in maintaining itself for more than two generations, whereas Aripert II, who got possession of the throne in 700, was descended in the fourth degree from the brother of Theudelinda.

Monarchy elective and hereditary.

The king of the Lombards, if he were a man of any force of character, was able to make his will felt very effectively, at any rate through all the north of Italy. He moved the national army whither he would: his favour could make or mar the fortunes of a subject: and the fabric of his wealth, the foundation of which was laid in the day when at the close of the interregnum the thirty-six dukes surrendered each one-half of his domains to the newly-elected Authari, was doubtless raised higher and higher by the confiscation of the property of rebellious nobles, and especially by the multitude of fines which, as we have seen in commenting on the laws of Rothari and Liutprand,

Kingly power.

were payable to 'the King's Court' or 'the King's Palace[1].'

'The king's rights' (I borrow here the language of a great German jurist[2]) 'as limited by popular freedom were the following. The laws were devised by him in consultation with the great men and nobles of the land, then accepted by the collected army which formed the assembly of the people, and given forth in his name. He was the supreme judge, but, like other national judges, he was assisted by jurors[3] in finding the verdict. From him went forth the summons to the host, but without doubt war, before being declared, was first talked over with the great men and approved in the assembly of the people, which was generally held on the 1st of March. The public domain, that is all the land that was not divided among private persons, was his, and was administered by officers specially named by him, the *gastalds*. It was he who safe-guarded the peace of the community: therefore the highest criminal jurisdiction was in his hands, and was partly exercised by him directly, partly handed over to his own officers or to the heads of the people. The former mode was generally adopted when the disturbers of the peace were great and powerful persons. All crimes against the commonwealth, such as treason, disturbance of the national assembly, and the like, were punished by the king, either with death or with the maximum fine (900 solidi), and an equally

[1] Fines for breach of the peace and maladministration of justice are said to be payable to the king's palace; for certain acts of immorality, to the king's court. Pabst (p. 444) thinks there is an important distinction here, but I do not clearly understand what it is.

[2] Hegel, i. 448–450.

[3] Schöffen.

heavy penalty avenged any breach of the peace which occurred in the king's palace. Even of the fines which were inflicted for injuries on private persons, one half [as a general rule] went to the king to atone for the breach of the public peace, while the other half went as solace and compensation to the injured party. Moreover the king exercised the highest police-jurisdiction, and took the necessary precautions for the safety of persons and property throughout the land. Without his permission, no free man accompanied by his clan (*fara*) might change his residence even within the kingdom [still less leave the country]: no one might exercise the craft of a goldsmith or coin money. Under his especial protection were all churches and convents with their appurtenances, as well as foreigners settling in the realm (*wargangi*). He also represented the woman as against her guardian (*mundwald*), the retainer as against his lord, and afforded a last refuge to men otherwise unarmed and unprotected. Out of these rights as universal patron or supreme guardian there arose for him various claims of inheritance which he exercised on behalf of the community when private heirs failed.'

Royal power not helped by the Church.

So far Hegel. But great as were the powers of the Lombard king when wielded by a strong and vigorous arm, it must not be forgotten that, as Hegel and other enquirers have pointed out, one influence which in other States did much to consolidate and strengthen royal power was wanting here. The Church, which undoubtedly did so much to establish the Frankish and the Saxon monarchies, seems to have been always cold towards that of the Lombards, nor could all the lavish gifts of kings and dukes to basilica and

monastery do more than win a kind of grudging assent to the proposition that the *nefandus Langobardus* was somewhat less intolerable than aforetime.

The Iron Crown of the Lombards.

Before we leave the subject of the Lombard kings, something must be said as to the chief emblem of their dignity, the far-famed Iron Crown[1]. In the Church of St. John the Baptist at Monza is still to be seen that little golden circlet ('15 centimetres in diameter, 5·3 centimetres high') which was guarded there among the most precious treasures of the Church for more than twelve centuries. It is made in six separate pieces, and it has in it twenty-two jewels of various kinds (chiefly pearls and emeralds), twenty-six golden roses, and twenty-four finely wrought enamels. But that which has given the crown its name and its special historic interest is not its precious gems, but the thin circlet of iron (only 3 oz. in weight and a centimetre high) which runs round the inside of the diadem. This iron rim is now said to be composed of a nail which was used in the crucifixion of Christ, and was brought from Jerusalem by Helena, mother of Constantine. With this precious ring of iron the crown of Constantine may have been adorned: it may have travelled from Constantinople to Rome: it may have been sent by Pope Gregory the Great to Theudelinda, though it is not probable that he would dare to give to a Lombard queen the emblems of Imperial sovereignty. But for all these conjectures, whether probable or improbable,

[1] There is a helpful article on the Lombard crowns in Smith's Dictionary of Christian Antiquities. The plates representing them at p. 460 of the first volume of Muratori's Rerum Italicarum Scriptores are especially valuable now that one of the crowns has perished. See also Prof. Freeman's Historical and Architectural Sketches, pp. 266–270.

there does not exist any shadow of proof: and, in fact, the theory of the connection of the Iron Crown with the sacred nail cannot be certainly traced back for more than three or four centuries, and is generally considered to have received its death-blow at the hands of Muratori. To one who, like the present writer, views with the utmost suspicion all the supposed discoveries at Jerusalem of the enthusiastic and credulous Helena, the question of one fiction less or more in connection with the sacred nails is not extremely interesting, and does not seem worth the tons of printed paper which have already been devoted to it. But the story of the Crown for its own sake, and as a great historic emblem, is undoubtedly interesting.

Till the twelfth century it appears to have been always called the *Corona Aurea*; after that, the name of *Corona Ferrea* gradually became more usual; and in the fourteenth century the Emperors Henry VII and Lewis the Bavarian being for some reason unable to obtain the precious so-called Iron Crown itself, are said to have been crowned with one made entirely of iron [1]. This baser rival however soon vanishes from the scene, and the true Iron-Golden Crown re-appears, and is used for the coronation of Charles IV, the author of the Golden Bull, and Charles V, the world-wide Emperor. Strangest of all the scenes in the history of the venerable ornament was that when, in the hands of a French Master of the Ceremonies, accompanied by the Arch-priest and twelve citizens of Monza (dressed by their own especial desire in uniform), and escorted by fifty-six cavalry soldiers, it was transferred on the 18th of May, 1805, to the Cathedral of Milan, where eight

[1] Marimonti, Storia di Monza, 110 and 114.

days after, the son of a Corsican attorney placed it on his imperial brow, uttering the well-known words, 'Dio me l' ha data, guai a chi la toccherà [1].'

But though the Iron Crown still survives at Monza, a scarcely less interesting relic of Lombard domination has disappeared almost in our own days. Side by side with the Iron Crown were to be seen at Monza in the time of Muratori two other crowns, one of Agilulf and one of Theudelinda. The former, in some respects the most interesting of the three, was adorned with figures of Our Saviour, two Angels, and the Twelve Apostles, each standing in an alcove of laurel boughs. It had 65 carbuncles and emeralds and 158 pearls, and round the bottom of it ran an inscription recording that 'Agilulf the glorious man, by Divine grace king of the whole of Italy, offered this crown to St. John the Baptist in the church of Monza [2].' Unfortunately this most interesting historical relic must now be spoken of in the past tense. Having been carried off by Napoleon to Paris, it was kept there among the treasures of the Bibliothèque Nationale, but in January, 1804, it was stolen by one of the custodians named Charlier, and carried off by him to Amsterdam, the gold melted, and the jewels sold. The thief was captured and died in prison, but the crown of the noble Agilulf was irrecoverably lost [3].

[1] 'God has given it to me. Woe betide him who shall touch it.' The ceremony of transportation is minutely described by Marimonti, pp. 119–121.

[2] 'AGILVLF . GRAT . DĪ . VIR . GLOR . REX . TOTIVS . ITAL . OFFERET . SC̄O . IOHANNI . BABTISTE . IN . ECC̄LA . MODICIA.'

[3] I take some of these particulars from Theodore de Murr's Dissertatio de Coronâ Regni Italiae, vulgo Ferreâ dictâ' (Munich, 1810). He says that Charlier (whom he rightly calls 'furcifer'—

As for the Iron Crown itself, after figuring in the coronation of two Austrian Emperors at Milan, it was after the battle of Solferino carried eastward to Venice, the last stronghold of Austrian power in Italy, and only after the war of 1866 was it brought back to its old home in Monza, where it may be hoped that it will now rest, to be used hereafter only for the coronation of the sovereigns of an united Italy.

The Lombard Duke.

Passing now from the Royal to the Ducal office, we observe first a curious fact. The history of the interregnum and the high position attained by the rulers of Spoleto and Benevento, together with many other indications of the same kind, clearly show that the Duke was a most important person in the Lombard State, no foreign importation, but a home-growth of the Teutonic genius, and yet we are entirely unacquainted with his true national name. *Dux* is of course Latin, taken over as we have seen from the Imperial hierarchy of office. Neither Paulus nor the laws of Rothari nor those of Liutprand give us the slightest indication how the office of Gisulf or Farwald was spoken of by himself and by his countrymen when no ecclesiastic was at hand to translate their language into the barbarous Latin of a legal document. We may conjecture that the Lombard name was some compound of *Ari*, the equivalent of army [1], and thus that it may have resembled the Anglo-Saxon *Heretoga* (Army-leader), but this can be only a conjecture, and

gallows-bird) died in prison of indigestion caused by eating too much meat-pie and drinking too much brandy.

[1] Found in Aripert, Arichis, Ariwald, &c.

raises the further question, 'Had the Lombards any word like *Ealdorman* to express the civil as distinct from the military duties of this great functionary, to describe the duke when sitting on the judgment-seat rather than when leading his warriors to battle[1]?'

The power and the possibilities of power residing in the office of the Lombard duke have been perhaps sufficiently indicated in the course of the preceding history. We have seen how an office which was at first delegated only for life, became in some cases virtually hereditary; how the perpetual rebellions of the Lombard dukes against their sovereign divided and enfeebled the State; how these rebellions were suppressed, and the dukes of Northern Italy were brought into comparative subjection and subordination before the end of the seventh century but how far harder even the great Liutprand found it to deal with the semi-independent dukes of Spoleto and Benevento. As to these latter princes and their relation to the central authority, our information is extremely vague. We can see that there was no close cohesion, but we are perhaps hardly entitled to assert that there was during the greater part of Lombard history absolute alienation and hostility between them. Matrimonial alliances between the families of king and duke are not uncommon: the sons of the duke are friendly visitors at Pavia: when occasion arises they can work together against Emperor or Exarch. Thus, though it is undeniable that the tie which bound the dukes of Spoleto and Benevento to the Northern kingdom was a somewhat loose one, and though commentators are right in calling attention to the pointed omission of

[1] See Kemble, The Saxons in England, ii. 126.

the names of these dukes in the prologues to the laws even of the great Liutprand[1], it is not quite certain that we are right in deducing from this latter circumstance that they were really disaffected to the Lombard king. With the Flaminian Way still more or less blocked by Imperial troops, it might be unsafe for a great personage like the duke of Spoleto or Benevento to travel to Pavia without an escort, which would have been in fact an army. And it is noteworthy in this connection, that at none of the later diets held by Liutprand (not even when Benevento at any rate was loyal, being under the rule of the king's nephew, Gregory) have we any express mention of the presence at these assemblies of nobles from either of the southern duchies.

The gastald.

In connection with the ducal office generally, (passing on from the question of the larger semi-independent duchies), it will be well to notice an institution, peculiar, or nearly so[2], to the Lombard State, that of the *gastaldat*. The *gastald*, whose name was

[1] For instance, the prologues to the laws of March 1, 717, 'Similiter modo cum omnibus judicibus nostris de partibus Austriae, Neustrie necnon et de Tuscie finibus seu et ceteris nostris Langobardis'; March 1, 720, 'Una cum inlustribus viris optimatibus meis Neustrie, Austrie et de Tuscie partibus, vel universis nobilibus Langobardis.' On this Pabst remarks, 'We know that the dukes of Benevento and Spoleto did not appear at the first diets. Liutprand ignores their absence, and acts just as if those regions belonged not at all to his kingdom.' But surely the words about 'the other noble Lombards' are meant to apply to them?

[2] Ducange quotes a passage from Theophanes (A.M. 6169) referring to the κάσταλδοι of the Chagan of the Avars: also from Ordericus Vitalis speaking rhetorically of the 'Satellites et Gastaldi' of the Norman kings of England. But is it not probably in the latter case a 'loan-word' from the Lombards?

probably derived from the Gothic word *gastaldan*, to acquire or possess, seems to have been a royal officer whose special business it was to collect the fines due to the king, and to administer the royal domain, distributed as it was through the various districts of Italy. It is a not improbable conjecture of Hegel, that when, at the restoration of the kingship, the dukes surrendered half of their territories in order to constitute such royal domain, this was a division of land, not of the revenues accruing from land, and that this may have been the occasion on which *gastalds* were appointed in order to safe-guard the king's rights in the surrendered districts; to collect his rents and taxes; to judge the causes which arose within their *gastaldat*; and to lead forth to war the free Lombards who dwelt therein. Whether he lived in the same city as the duke we cannot say: probably in most cases he would fix his abode in a town of secondary importance. But it is essential to observe that the *gastalds* thus holding the king's commission were, and were meant to be, a check upon the power of the dukes, who though in theory themselves also the nominated servants of the Crown, were fast becoming hereditary rulers. Thus the two principles, what may be called by an anachronism the feudal principle and that of the centralised monarchy, being represented respectively by the duke and the *gastald*, were set over against one another, and exercised upon one another a reciprocal control. As was said in the laws of Rothari, 'If a duke shall unjustly harass one of his men-at-arms, let the *gastald* relieve him until he find out the truth, and bring him to justice, either in the presence of the king, or at least before his duke.' 'If any *gastald*

shall unreasonably harass his man-at-arms, let the duke relieve him until he shall find out the truth of his case[1].'

It is to be noted, as a sign of the semi-independent position of the two great Southern dukes, that no royal *gastalds* appear to have existed in their dominions, but they appointed *gastalds* of their own, who seem to have been of somewhat inferior position to their namesakes in the rest of Italy, holding a delegated authority from the duke, each one in the little *actus* or township which formed the administrative unit in the duchy of Benevento, perhaps also in that of Spoleto. Meanwhile the duke himself lived almost in royal splendour at Benevento or Spoleto. His court was the centre of all power and all brilliancy. He had his chancellor (*referendarius*), his high constable (*marpahis*), his grand chamberlain and master of the robes (*cubicularius* and *vestararius*), and his grand treasurer (*stolesaz*). And, significant fact, in his charters and donations he always mentioned the year of his own reign, and forgot to mention that of his sovereign who was reigning at Pavia.

For Lombard Italy as a whole we find the number of *gastalds* apparently increasing, and that of the *duces* diminishing, as the seventh century wears on. In *civitates* such as those of Parma and Piacenza, which had been betrayed by their dukes to the Empire, it was natural that Agilulf, when he recovered them,

[1] l. 23: 'Si dux exercitalem suum molestaverit injustè gastaldius eum solatiet, quousque veritatem suam inveniat, et in praesentiam regis aut certè apud ducem suum ad justitiam perducat.'

l. 24: 'Si quis gastaldius exercitalem suum molestaverit contra rationem, dux eum solaciet, quousque veritatem suam inveniat.'

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should appoint not an aspiring duke but a subservient *gastald* to administer the affairs of the city, and that he should speak of these places as 'cities of our royal house[1]'. Rothari too when he won from the Greeks the fair cities on the coast of the Riviera, probably put them under the rule of his *gastalds*. And in some of those cases in which the rebellion of a turbulent duke was with difficulty suppressed (as for instance in the case of Treviso), it seems probable that the king, while confiscating the private property of the duke, added his territory to the royal domain, and divided it up into *gastaldats*.

Besides the *gastald*, there were other officers of the royal domain called by the general name of *actores regis*, the gradation of whose rank and various duties it is not easy to discover[2]. It is interesting however to observe the important, even judicial functions of the *saltarius* or forester[3]. The *sculdahis*, or *sculdhaizo*[4], of whom frequent mention is made in the laws, seems to have been not unlike one of our justices of the peace. His title ('the enforcer of obligations[5]') seems to show that it rested with him to enforce obedience to the decisions of the court above; and the words by

The *sculdahis*.

[1] 'Domus nostrae civitates' (Troya, Cod. Dip. Long. ii. 534).

[2] Such are the *scario*, *oviscario* and *scaffardus* who are mentioned in the laws and charters. See Pabst, p. 496.

[3] Laws of Liutprand, 44, 85. The *saltarius* is one of the magistrates charged (under heavy penalties for remissness) with the pursuit of fugitive slaves and the discovery and punishment of witches.

[4] The name of the *sculdahis* still survives in the German *Schultheiss*.

[5] So Meyer: 'Wörtlich derjenige, dem es oblag Verpflichtungen (*sculd*) zu befehlen (*haizan*).'

which Paulus Diaconus translates it (*rector loci* [1]) show us that practically the *sculdahis* was the chief man in the little town or village in which he dwelt.

The particular *sculdahis* of whom Paulus speaks in this passage was that Argait whose unfortunate name, coupled with his want of success in capturing the Sclovene robbers from over the mountains, exposed him to the clumsy banter of Duke Ferdulf of Friuli, and led to the loss of hundreds of Lombard lives through Argait's fool-hardy attempt to wipe off the stain upon his honour [2]. But notwithstanding this error, Paulus tells us that he was 'a noble man, powerful in courage and strength'; in fact, just like a stalwart, hot-tempered English squire, more terrible with that strong sword-arm of his, than successful in matching his wits against the shifty, nimble, petty thieves [3] from over the border.

Condition of the vanquished Romans under the Lombards.

The organisation of the Lombard State was undoubtedly crude and somewhat barbarous, though in the very quaintness of its barbarism there is a certain charm when we compare it with the pompous and effete hierarchy of Byzantine officialism. But the question which, as I have already often hinted, attracts while it continually eludes us is, 'What was the condition of the earlier population of Italy, of the men who though of various stocks all called themselves Roman, under these their Lombard conquerors?' This question, as I have said, must attract us. After we have followed the history of the Imperial race from

[1] 'Subsecutus est hos rector loci illius, quem *sculdahis* linguâ propriâ dicunt, vir nobilis animoque et viribus potens; sed tamen eosdem latrunculos adsequi non potuit' (H. L. vi. 24).

[2] See p. 329.

[3] 'latrunculi.'

the hut of Faustulus to the glories of the Palatine and the Capitol, after gazing in many widely sundered lands on the handiwork of the Roman legionary and thus learning afresh in manhood the marvel of the schoolboy's commonplaces concerning 'the lords of the world, the nation of the toga,' how can we turn away from them in the day of their calamity, or fail to enquire how the sons of Italy, when their turn came to be enslaved, bore themselves in their bondage?

But the question, though it must be asked, cannot be satisfactorily answered. The pit of ruin into which Rome fell was so deep that scarcely a voice reaches us from its dark recesses. The Greek in similar circumstances would surely have told us something of his reverses. He would have written histories or sung elegies, or in some way or other coined his sorrows into gold. The Roman, always naturally unexpressive, endured, was silent, and died. The actual evidence as to the condition of the Latin population under their Lombard lords is scanty, and can soon be summarised for the reader. The conjectures with which we cannot help filling up the blank interstices of that evidence are endless, and a volume would be needed to discuss them thoroughly.

Paulus Diaconus on the land-settlement of the Lombards.

To begin with, there is the important statement by Paulus of the results of the Lombard conquest to which reference has already been made[1]. 'In these days [under the rule of the thirty dukes, just after the death of Alboin] many of the noble Romans were slain through avarice. But the rest being divided among their "guests" on condition of paying the third

[1] See vol. v. p. 188.

part of their produce to the Lombards, are made tributaries[1].'

The general purport of this passage is clear enough. The largest land-owners among the Romans, the nobles who owned any *latifundia* which might still exist in Italy, were, as a rule, killed by the greedy Lombards, who probably portioned out their lands among them. The rest of the Roman inhabitants (for so surely we must understand the passage, not 'the rest of the nobles') found themselves assigned as 'hosts' to the new-comers who were their 'guests,' and bound to pay over to them one-third of the produce of their lands. The result of this revolution was of course in a certain sense to take away their freedom and make them tributaries (that is, not 'tenants' but more nearly 'serfs') to the invading Lombards. We have here therefore again nearly the same process which we have already watched in the Italy of Odovacar and Theodoric. The word *hospes* (host or guest) is a technical one in this connexion, and expresses with unintended irony the relation in which the poor dispossessed Roman stood to his most unwelcome guest[2]. Only we have to notice this difference, that whereas

[1] 'His diebus multi nobilium Romanorum ob cupiditatem interfecti sunt. Reliqui vero per hospites divisi, ut tertiam partem suarum frugum Langobardis persolverent, tributarii efficiuntur' (Paulus, H. L. ii. 32). [Crivellucci (Studi Storici v. p. 124) thinks that the author here gets too much out of 'multi' which does not equal 'plurimi', and that he fails to give any suggestion as to the fate of the 'reliqui' who were either 'nobiles' or middle-class men not cultivating the land with their own hands.]

[2] As Savigny says (i. 400), '*hospes* was the special word used to express the relation engendered by the land-settlement'; and (i. 298), 'Not only was the Roman called the Burgundian's *hospes*, but also *vice versâ*.'

in Odovacar's and Theodoric's land-settlements and in that of the Burgundians and Visigoths a third or other fraction of the land itself was taken by the invader, here it was a third of the *produce* of the land to which he helped himself. This is an important difference, and at once raises the question, 'Was it a third of the gross produce of the soil, or was the "host" allowed to take subsistence for himself and those who helped him in the cultivation first, and then to pay a third of the net produce to his "guest"?' If the latter, the tribute was, as such things went, fair and moderate: if the former, it is considered that it was equivalent to taking two-thirds of the net produce, and that it probably left but a narrow margin for the cultivator and his family. We have no means of deciding the question, but it seems on the whole most likely that the harsher view is the true one, and that the Lombard took his third of everything grown on the land before the Roman was allowed any wages for his labour[1].

The Lombards took not a third of the land, but a third of the produce of the land.

However this may be, the following consequences seem necessarily to flow from the fact that the Lombards took from the previous inhabitants of Italy, not a quota of land, but a quota of produce. In the first place, they were themselves thus exempted from the necessity of agricultural labour. They could live like gentlemen on the tribute paid by their down-trodden 'hosts,' could perhaps drift into the cities, or go hunting in the forests: in short, they missed that sobering,

[1] Savigny took originally the view most favourable to the Lombards, but abandoned it in his second edition. Leo, Hegel, and Troya all contend for the 'third of gross produce.' Hegel especially urges (i. 357) that to adopt Savigny's original view is to make the 'nefandissimi Langobardi' the mildest and most generous of all the Teutonic conquerors.

steadying influence which is given to the cultivator of the soil by his long annual struggle with Nature.

Secondly, the softening and harmonising influence which is sometimes exercised by neighbourhood and a common pursuit was necessarily here wanting. Cassiodorus[1] says that Liberius, to whom was assigned the duty of marking out the Thirds in the Ostrogothic land settlement, so fulfilled his mission as actually to draw the men of the two nations closer together. 'For whereas men are wont to come into collision on account of their being neighbours, with these men the common holding of their farms proved in practice a reason for concord[2].' Doubtless this statement is coloured by the official optimism which is characteristic of its author, but in the Lombard land settlement such a result was impossible. The Lombard *hospes* was a landlord, often probably an absentee landlord, and was hated accordingly.

For, thirdly, the necessary result of taking not land but a portion of his yearly produce from the Roman cultivator, was to make of him, as Paulus says, a 'tributarius,' and thus to deprive him, more or less, of his freedom. When the Ostrogothic or Rugian 'guest' had with the high hand taken the allotted portion away from his Roman neighbour, it was nothing to him what that neighbour did with the rest. He might starve or grow fat on his diminished holding; he might drift away to Rome or Constantinople; he might enter the service of the Church, or join the army of diggers who by Theodoric's orders were draining the marshes of Terracina,—it was all one to the barbarian 'guest' who

[1] Variarum, ii. 16.

[2] See vol. iii. p. 303.

had been quartered upon him. But the Lombard who had received not land but the arms of the subject-race for his portion, would undoubtedly insist that his 'host' should remain upon the land and make it bring forth as plenteous crops as he could, and the whole force of the new rough barbarian kingdom would back his claim. Thus the Roman, lately perhaps a free cultivator, became not a tenant but a *tributarius*, and practically a 'serf bound to the soil [1].'

Obscure passage in Paulus about the division of the *hospites*.

We next come to a mysterious and difficult sentence of Paulus, which has been more discussed than anything else written by its author, and has given rise to almost as much controversy as the celebrated sentences of Tacitus as to the land-system of the Germans. After describing the period of the interregnum and how it was ended by the elevation of Authari to the throne, his assumption of the title Flavius, and the surrender by the dukes of half their property 'to royal uses in order that there might be a fund out of which the king himself, his adherents, and those who were bound to his service by their various offices might be supported,' Paulus says, '*Populi tamen adgravati per Langobardos hospites partiuntur* [2].' He then goes on to describe the happy estate of the kingdom of the Lombards under Authari, the absence of robbery and crime, the cessation of unjust exactions (*angaria*), and the fearless security with which every one went about his lawful business.

In the earlier pages of this history [3] I have sug-

[1] Hegel (i. 402) strongly argues that we must not think of the Romans under the Lombards as mere *coloni*, but as a somewhat higher class, like the Frankish *lites*. Still I think 'serfs bound to the soil' fitly describes their condition.

[2] H. L. iii. 16.

[3] Vol. v. p. 232.

gested as a translation of the above sentence, '[In this division] the subject populations who had been assigned to their several Lombard guests were [also] included': that is to say, that along with the lands the tributary Roman populations settled upon them were handed over to the king. This seems to be the sense required by the general drift of the passage, but it must be confessed that it is difficult to get it out of the sentence as it stands[1]. What seems an easier translation is offered by Marquis Capponi[2]: 'The tributary populations (*populi adgravati*) however are divided' (that is remain divided) 'among their Lombard guests.' This translation gives a good meaning to the word *tamen* (however), but it is difficult to get 'remain divided' out of *partiuntur*, and it is also in itself improbable. For what would be the object of handing over to the king broad lands denuded of the tributary Romans who cultivated them, and what would the surrendering dukes do with the great populations thus thrown on their hands and deprived of the land from which they derived their sustenance?

On the whole, without going minutely here into the various and sometimes desperate devices which have been resorted to in order to obtain a satisfactory meaning from the passage, the safest course seems to be to acquiesce in the decision of Capponi, that, whatever may be its construction, it is too obscure to make it safe to resort to it for any fresh information as to the condition of the vanquished Romans. The subject

[1] For why should we have 'tamen' after 'populi,' and why should we not have 'etiam,' and why not 'inter regem et duces' instead of 'inter Langobardos hospites'?

[2] 'Sui Longobardi in Italia,' p. 18.

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with which Paulus is mainly dealing is the financial arrangements made between the dukes and their new sovereign. These it is probably hopeless now to understand, but it seems clear that the system by which the Roman landowner was made tributary to a Lombard *hospes* still remained in force, whoever that *hospes* may have been [1].

Light thrown by the Lombard laws on the question of the condition of the vanquished Romans.

Having gathered such scanty information as we could from the pages of Paulus, let us now turn to consider what light is thrown by the Lombard laws on the condition of the vanquished Romans. The laws of Rothari, as we have seen, are eloquently silent as to the very name of Roman. Except for the one contemptuous allusion to the case of a Roman female slave (*ancilla Romana*) whose seduction was to be atoned for by a fine scarcely more than half that which was payable for the seduction of a Teutonic slave (*ancilla gentilis*), we might have supposed that Rothari and his counsellors lived on a planet to which the fame of Rome had never reached. We find how-

[1] Savigny's explanation (i. 401) is nearly the same as Capponi's: 'The king was endowed by the nobles. The Romans were in the meantime divided among the individual Lombards as their *hospites*, and the old relation between them remained unchanged.'

Hegel's (i. 353) is somewhat similar: 'The king repressed acts of lawless violence, but there was no change in the general condition of the conquered Romans. They remained divided among their *hospites*.'

Troya (Storia d'Italia, i. 5. ccccx) contends that the true reading is 'patiuntur,' and translates, 'The dukes gave half of their property to the king: nevertheless the populations oppressed by the Lombard guests suffered for it; the dukes made up for their patriotic surrender to the king by screwing a larger tribute out of the oppressed Romans.' This does not go very well with the sentence that follows about the Golden Age.

ever in these very laws a large number of enactments as to the rights and wrongs of the *Aldius*, a man who, as we discovered, occupied a position midway between the 'folk-free' Lombard of the king's army and the mere slave. Everything seemed to show that we were here dealing with a man not greatly or essentially different from the Roman *colonus*, who cultivated the ground for a master and who could not change his condition or his home, but who on the other hand could not have his rent (if we call it so) raised arbitrarily upon him, nor be sold like the mere slave into distant bondage. In alluding, as I then did [1], to the suggestion that among the *Aldii* of the Lombard law-book we had to look for the vast mass of the so-called 'Roman' inhabitants of Italy who occupied it before the Lombard conquest, I proposed that we should for the time neither accept this theory nor yet reject it, but keep it before our minds and see how far it explained the phenomena which came before us.

The Romans as *Aldii*.

Now, at the close of this enquiry, I ask the reader if he does not consider that the probability of this theory amounts almost to certainty? It is true we have not—would that we had—any distinct statement by Paulus or any other contemporary authority, 'The Romans were made *Aldii*'; but we are told that they were made *tributarii*, and finding in the Lombard law-book continual allusions to a class of men—manifestly a large class—who are evidently *tributarii*, we say with some confidence: 'Surely the staple of this class is the vanquished Roman population.' I may say that this theory is not the special discovery of any one student, though perhaps Troya has done more

[1] p. 181.

to establish its correctness than any other writer. It has by this time almost passed into one of the commonplaces of Lombard history; but it has seemed desirable to review the reasons by which it is supported and to show that they are likely to stand the test of further investigation.

If it be once admitted that the great mass of the Roman population are represented by the *Aldii* of the Lombard Codes, most of the desired information is ours. Almost all the events that could happen to them can be expressed (if we may speak mathematically) in terms of the *guidrigild*, which *guidrigild* however, we must always remember, was payable not to the *Aldius* himself but to his master. If a Roman cultivator was fatally injured by some truculent Lombard swashbuckler, it is not upon his injury or on his family's claims to compensation that Rothari meditates, but he argues that if his master is not indemnified for the loss of so profitable a drudge, there will be a *faida* between him and the homicide, and he therefore fixes the tariff of *guidrigild* to be paid by the homicide to the master.

Thus then, speaking generally, we may say if any one would know how the countrymen of Virgil and Cicero were faring during the latter part of the sixth and the seventh centuries and what sort of lives they lived, let him study the Lombard Codes and see what they say as to the position of the *Aldius* and *Aldia* in Lombard Italy. But there are two classes of persons to whom we cannot feel sure that this information applies.

Possible exceptions:

The first are the handicraftsmen and dwellers in towns. Is there anything in the above-quoted words

of Paulus about 'paying the third part of their crops' (*frugum*) to the *hospites* which entitles us to say that a worker in metal living within the walls of a town was made subject to this tribute? It is generally conjectured by historical enquirers that this artisan class shared the degradation and the liability to tribute of their rural fellow-countrymen; but we cannot be said to have any proof of this proposition, nor is it so easy to understand how the quartering of the Lombard guest upon the Roman could be accomplished in the town as in the country.

1. Artisans.

2. Wealthy Romans.

And, secondly, the wealthy and leisured class apart from the mere land-owners, if there were any such class left in Italy,—how did they fare under the new system? I say, 'if there were any such left,' because the influences which had been at work in Italy to drain it of those whom we should call its gentlemen had been mighty and had been working for centuries. The impoverishment of the *Curiales*, the invasions of Alaric, of Attila, of Gaiseric, Odovacar and his Herulians, Theodoric and his Ostrogoths, pre-eminently the bloody revenges which marked the latter stages of the Ostrogothic war, the emigration to Constantinople, the tendency of all men of good birth and education to flock to the seat of officialism, whether at Ravenna or at Constantinople, in search of a career, the attractions of the Church for some, of the Convent for others,—all these causes had doubtless worked a terrible depletion of the rural aristocracy of Italy, even before the unspeakable Lombard came to hasten the process.

How did the Lombard laws

Still there may have been Roman gentlemen, as there may have been Roman artisans, who were no

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punish crime and outrage committed in the free Roman population?

man's *Aldii*, and therefore stood outside the pale of express Lombard law, and if there were such I think we can only conjecture what amount of protection they received for life and property. My own conjecture would be that in the first generation after the conquest they received none at all. The sentence of Paulus, 'In these days many of the noble Romans were slain through avarice,' expresses, I suspect, the state of things not only under the lawless dukes, but even under Authari and Agilulf, at any rate in the earlier years of the reign of the latter monarch. Even under Rothari, if the son of a murdered Roman came to the King's Court and claimed compensation for his father's death, we can imagine the king's reply, 'When Lombard has killed Lombard, we have ordered that a certain *guidrigild* be paid, *ut cesset faida*, to prevent a blood-feud. But how can any blood-feud exist between the Lombard and the soft weaponless Roman? No more than between a Lombard man and a woman. I cannot decree the payment of any *guidrigild*, but you can if you like try your fortune as a *camfio* in the dread wager of battle.' And thereat, inextinguishable laughter would resound through the hall at the thought of the delicate Roman mounting horse and couching spear against the stalwart Lombard *exercitalis*.

Such would seem to have been the law, or rather the absence of law, in the earlier days of the Lombard state. But we saw in the laws of Liutprand that a stronger feeling against crimes of violence had then been growing up in the community. The conviction that murder was not merely a wrong to the relations of the murdered man, but a disgrace to the State,

a breach, as our ancestors would say, of 'the King's peace,' had evidently entered into the mind of the legislator. It was under the influence of this conviction that he ordained that the murderer of 'any free man' should atone for his crime by the loss of the whole of his property, part of which was to go to the murdered man's heirs and the rest to the King's Court[1]. Here at first we think we have got the desired answer to our question as to the protection afforded by the law to the unattached Roman, who is no man's *Aldius*. As a free man he surely shares in the advantages of this law, and any one who kills him *asto animo* (of malice prepense) will forfeit his whole property for his crime. But unfortunately, as has been already pointed out[2], a law which was passed four years later for the express purpose of explaining this law seems to limit those hopeful words, 'any free man.' It is true that the legislator here deals only with manslaughter in self-defence and does not expressly repeal any part of the law against premeditated murder. But when we find that the lowest *guidrigild* known to the legislator is for 'the humblest person *who shall be found to be a member of our army*[3],' we feel that these words are probably to be taken as limiting the application of the earlier law also, and we fear that we may not infer that the truculent Lombard who of malice aforethought killed a free man of Roman origin was punished for the crime by the forfeiture of all his estates. Thus then, in the silence of the Lombard legislator, we are left to mere conjecture as to the condition of the

[1] See p. 396. [2] p. 398.

[3] 'Minima persona qui exercitalis homo esse inveniatur.'

Roman population. Individually I am disposed to conjecture that the increasing civilisation of their conquerors had, at any rate by the time of Liutprand, perhaps long before, wrought great improvement in their condition, and that the murder or mutilation of a free Italian of non-Lombard descent was noticed and punished in some way by the Lombard magistrate, but how, to what extent, under the provision of what law, I do not think we have any evidence to show.

Survival of Roman law among the vanquished for their own internal affairs.

But while in criminal matters the man of Roman origin was thus at the mercy of the law, or rather the lawlessness, of his conquerors, in civil affairs we may reasonably suppose that he retained his own law, as far as he had knowledge and understanding enough to use it. Why, for instance, should the Lombard official trouble himself with the disposition of the Roman artisan's scanty savings among his descendants? Why should he care to impose upon him the Lombard principle of the exclusion of daughters in favour of sons, or the provision made by the laws of Rothari for illegitimate offspring? All these were surely matters far below the range of the Lombard duke or *sculdahis*; and so the men of Roman origin in their purchases and sales to one another, in making their wills, in dividing the property of an intestate, would go on, very likely clumsily and ignorantly enough, following, as far as they knew them, the provisions of the Digest and the Code. Thus we have at once a natural explanation of those passages already noticed in the laws of Liutprand where he uses emphatically the words 'Si quis Langobardus' in treating of the laws of inheritance; of his refusal of the Lombard rights of *faida* and *anagriph* to the Lombard woman

who has come under a Roman's *mundium*; and above all, of the important law 'de scribis,' in which conveyancers are ordered, under very severe penalties for disobedience, to prepare their deeds either according to the law of the Lombards or according to the law of the Romans, and not to presume to alter either of these to suit their own convenience.

Personal law in the Lombard state.

Thus we find that in the Lombard State, as in most of the other States founded by the barbarians on the ruins of the Empire, we have the germs of what is known as the system of Personal Law, as opposed to that of Territorial Law which is now universal in Christian Europe [1]. Under this system, not only had the Barbarian one code of laws and the Roman another, but after the barbarian peoples had begun to get mixed with one another by wars and invasions, each separate barbarian nation kept its own laws, and thus, as Bishop Agobard said in the ninth century when writing to Louis the Pious, 'you may see five men sitting or walking together, each of whom has his own law [2].' We shall find this system in full operation under Charles the Great, and though undoubtedly it was less completely developed in Italy than in some of the other countries of Western Europe, owing to the attempt made by the Lombards to assimilate all other laws and customs to their own, Personal Law is there in the Laws of Liutprand, and it would

[1] I say Christian Europe, because the 'Capitulations' by which the citizens of the leading European States are protected from decisions uttered by Turkish judges in accordance with the Koran furnish an excellent modern illustration of the principle of Personal Law.

[2] Agobardi Ep. ad Lud. P. apud Bouquet, vi. 356 (quoted by Savigny, i. 116).

probably have asserted itself more strongly had the life of the State been a longer one.

Here then for the present we leave the story of the Lombard settlers in Italy. They have succeeded in making good their position in the peninsula, notwithstanding all the efforts of Pope and Exarch, of Caesar and of Meroving to expel them. They have been steadily extending their frontier, and it seems clear that their final expulsion of 'the Greeks' (as the Imperial forces are beginning to be called) is only a question of time, and not of any long time either. They have renounced their Arian Creed, have become great church-builders and convent-founders, and, as far as religious reasons go, there seems no cause why they should not live on terms of cordial friendship with the See of Rome. Lastly, they have been for more than thirty years under the sway of a hero-king—wise, courageous, merciful—who has done more than any of his predecessors towards welding their somewhat disorderly and discordant elements into one coherent and harmonious whole. 'United Italy' appears full in view, and it seems as if by the arms of the rude Lombard this great victory will be won for humanity.

Why and how this fair promise failed, and how Europe organised herself at the expense of a hopelessly divided Italy, it will be my business to set forth in the concluding volume.

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Winiperga, wife of Gisulf I, Duke of Benevento, vi. 334.
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Zangrulf, Duke of Verona, rebels against Agilulf, is defeated and slain, v. 424.
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Zoilus, first citizen of Cherson, arrested and sent to Constantinople, vi. 380 *n*.
Zotto, Duke of Beneventum 571–591, vi. 71; besieges Naples in 581, vi. 71; death of, vi. 73.

GLOSSARY OF LOMBARD WORDS

ahtugild = eightfold restoration of object stolen (+ thing itself = ninefold = *nonum reddere*), vi. 219 *n*, 223 *n*.
aidos = *sacramentales*: jurors, vi. 224, 228 *n*.
Aldius = half free man; *see Index*, Aldius.
amund = liberated from *Mundium* of a master, vi. 207.
anagriph = damages for loss of the *Mundium*, vi. 400.
angargathungi = value of life of landed proprietor, vi. 179, 185.
argait = a good-for-nothing man, vi. 329 *n*.

barban = uncle, v. 117.

cadarfido = customary law, vi. 403–404.
camfio = wager of battle, or champion, vi. 179, 198, 230, 402.

eterzo;

faderfio = portion given by a father to his daughter, vi. 200, 202.
faida = feud, vi. 185, 191, 198, 203, 225, 400.
fara = clan, v. 161.
ferquida or ferquido = 'tit for tat,' vi. 192, 219 *n*.
fio = money (Gothic *faihu*), vi. 200 *n*.
fornaccar = cropped land, vi. 223.
fulc-free = sharer in freedom of the Lombards, vi. 207.

gahagium = hedge, vi. 218, 220.
gaida = spear, vi. 207 *n*.
gairethinx = solemn donation, vi. 195, 206, 232.
gasindius = kinsman (?), vi. 398.
Gastald = royal intendant, vi. 213, 230.
gisilis = witness, vi. 207 *n*.
guidrigild = compensation for murder, *see Index*.

haistan = hasty temper, vi. 214 *n*.
ariscild = faction fight, vi. 411 *n*.
overos = house-storming, vi. 214.

impans = form of manumission 'to the king's wish,' vi. 207.

lama = pond, v. 95.
lidinlaib = donation to take effect after death of donor, vi. 196.

Marpahis = Master of the Horse, v. 160; vi. 42, 43, 314.
masca = witch, vi. 233.
meta = money paid by suitor to relations of intended wife, vi. 200, 202, 203, 414.
morgincap or morganicap = present by husband to wife on the day after the wedding, vi. 201, 202, 203, 414.
mundium = right of guardianship of a woman, vi. 180, 197–205, 230; of a slave or freedman, vi. 207.
mundwald = owner of mundium (occurs in laws of Liutprand, not in those of Rothari), vi. 404 *n*.

ploderaub = robbery from the dead, vi. 180.
plovum = plough, vi. 217.

scamarae = brigands, vi. 178.
sculdhaizo or sculdahis = magistrate (connected with German *schultheiss*), vi. 232, 329, 401, 578, 579.
selpmundia = a woman who is under no man's guardianship, vi. 197–198.
snaida = tree-marking, vi. 209.
sonorpair = a champion boar, vi 223.
Stolesaz = grand treasurer, vi. 192 *n*, 577.

thingare = to alienate by public ceremony, vi. 194–197, 228.
thinx = solemn donation, vi. 195–196.
tornare = to divert, vi. 221 *n* (? if a Lombard word).

wadia = bail for appearance to a suit, vi. 210–211, 227–228.
walapauz = burglary, vi. 181.
waregango = resident foreigner, vi. 231.
wegworin = violence on the highway, vi. 180.

PRINTED IN ENGLAND
AT THE OXFORD UNIVERSITY PRESS